



Wake Forest Board of Commissioners
Meeting Agenda
November 21, 2023 at 6:00 PM
All items listed are for discussion and possible action.

Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Terry Savary](#) at 919-435-9432 as soon as possible, but no less than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All [Board of Commissioners](#) (BOC) meetings are broadcast live on [WFTV 10](#) beginning at 6 p.m. Meetings are also streamed online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

Meeting Agendas

The BOC meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Town Clerk's office at 919-435-9432. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

Public Hearings

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the BOC regarding the item under consideration. Anyone wishing to address the BOC concerning a public hearing item should complete and submit the BOC Public Comment Form on the [Town website](#). Proponents and opponents shall each be given three minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed three minutes each to express his/her comments, ideas, concerns, expressions, and desires. A designated speaker for a group will be allowed 10 minutes to speak. Only comments on a Public Hearing will be allowed during this time.

Public Comment

During the Public Comment period, anyone wishing to address the BOC concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the BOC Public Comment Form on the [Town website](#). Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have three minutes to speak. Thank you for your cooperation.

Call to Order

Pledge of Allegiance

1.Approval of Agenda

2.Approval of Minutes

- 2.A. October 3, 2023 Work Session
October 17, 2023 Regular Meeting

[DraftBOCWSEMinutesOct202303.pdf](#)

[DraftBOCMinutesOct202317.pdf](#)

3.Presentations

- 3.A. Presentation of fiscal year ended June 30, 2023 Annual Comprehensive Financial Report

[Presentation of Annual Financial Report for June 30, 2023 _summary.pdf](#)

- 3.B. Resolution Recognizing Sergeant David Doherty on his Retirement

[Doherty Summary appreciation of services.docx](#)

[Doherty Resolution of Appreciation for Services.docx](#)

- 3.C. Introduction of Candidates for Board of Adjustment

[Summary Sheet _Candidates Board of Adjustment.pdf](#)

4.Public Hearings / Public Comment

- 4.A. Public Hearing on LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O).

[BOC Agenda Summary RZ-23-02.pdf](#)

[RZ-23-02 Staff Report.pdf](#)

[Attachment A - Neighborhood Meeting Information.pdf](#)

[Attachment B - Application.pdf](#)

[Attachment C - Maps.pdf](#)

[Attachment D - Planning Board Recommendation and Plan Consistency Analysis.pdf](#)

[Attachment E - TIA Executive Summary and NCDOT Review Report.pdf](#)

[Exhibit 1 - Legal Description.pdf](#)

[Ordinance RZ-23-02 Stadium Drive Mixed-Use.docx](#)

[Exhibit 2 - Consistency Statement RZ-23-02.pdf](#)

[Exhibit 3 - Proposed Conditional District Plan.pdf](#)

4.B. Public Hearing on Stormwater Utility Fee

[Agenda Summary_112123.pdf](#)

[Attachment A_Ordinance.docx](#)

[Attachement B_SUAG Recommendations Presentation.pdf](#)

[Exhibit 1_Chapter 14_Article IV_V.pdf](#)

4.C. Public Hearing on Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

[Agenda Summary](#)

[2023-260 Staff Report.pdf](#)

[Attachment A - Application.pdf](#)

[Attachment B - Maps.pdf](#)

[Attachment C - Proposed Community Plan Amendments.pdf](#)

[Ordinance.docx](#)

[Exhibit 1 - Amended Wake Forest Community Plan.pdf](#)

[Exhibit 2 - Plan Revisions.pdf](#)

- 4.D. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

5.Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

- 5.A. Approval of a Resolution to surplus the badge and service weapon carried by Sergeant David Doherty
[Doherty Summary badge and weapon surplus.docx](#)
[Doherty Resolution Badge and Weapon.docx](#)
- 5.B. Approval of Appointment to Citizen Advisory Boards
[RESOLUTION2023-XXX_Adv_Board_Appts-HRC.pdf](#)
[RESOLUTION2023-XXX_Adv_Board_Appts-PAC.pdf](#)
[RESOLUTION2023-XXX_Adv_Board_Appts-PRCR.pdf](#)
[RESOLUTION2023-XXX_Adv_Board_Appts-TAB.pdf](#)
[RESOLUTION2023-XXX_Adv_Board_Appts-UFB.pdf](#)
- 5.C. Approval of Smith Creek Reservoir Design
[Smith Creek Reservoir Design Summary.docx](#)
[Attachment_A_2023-xx_Resolution.docx](#)
[Attachment B_SmithCreekReservoir_Scope_WSP_Final Design.pdf](#)
- 5.D. Approval of Supplemental Service Agreement with Mott MacDonald on Resurfacing Project FY 23-24
[Summary.docx.docx](#)
[Attachment A 2023-xx Resolution.docx](#)
[Attachment B scope of work.pdf](#)
[Attachment C mott mac contract.pdf](#)
- 5.E. Approval of reimbursement agreement between the Town of Wake Forest and Taylor Morrison of Carolinas, Inc.
[MiddlegameSignalReimbursement_Summary.docx](#)
[AttachmentA_TownofWakeForestHWY98RadfordGlenReimbursementAgreementandResolution.docx](#)
[Attachment B_Budget.pdf](#)
[AttachmentC_CIP Item.pdf](#)
- 5.F. Approval of resolution authorizing the execution and delivery of an installment financing agreement with JP Morgan Chase Bank to finance the resurfacing and rehabilitation of certain town streets
[IPA resolution JP Morgan_summary.pdf](#)
[JPM - Wake Forest IFA - Approval Resolution\(181512356.1\).docx](#)
[Street Improvements - Financing Proposals.pdf](#)
[Timetable_Streets IPA.pdf](#)

6.Legislative Items

- 6.A. Consideration of Stormwater Utility Fee

- 6.B. Appointment of Candidates for the Board of Adjustment
[Board of Adjustments Candidates Cover letter.pdf](#)
[BOA Application Packet.pdf](#)

7.Planning Items

- 7.A. Consideration of LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O).
- 7.B. Consideration of Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

8.Administration and Financial Items

9.Public Services Items

10.Parks and Recreation Items

11.Public Safety Items

12.Other Business

- 12.A. Department Monthly Report
[October 2023 Monthly Report.pdf](#)
- 12.B. Wake County Tax Release
[WF-TXREP-NOV-2023-BOC-MTG.pdf](#)
- 12.C. Commissioner Reports
- 12.D. Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)”.

13.Adjournment



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-313-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

October 3, 2023 Work Session

October 17, 2023 Regular Meeting

Recommendation:

Item Summary:

ATTACHMENTS

- [DraftBOCWSEMinutesOct202303.pdf](#)
- [DraftBOCMinutesOct202317.pdf](#)



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, October 3, 2023**, at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Mayor Jones stated item 1.18 Street Resurfacing Project FY 2024 was added to the October 3, 2023 Board of Commissioners Work Session agenda.

Commissioners Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Keith Shackleford, Commissioner Nick Sliwinski, and Commissioner Adam Wright.

Commissioners Absent: Commissioner Chad Sary.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager/Chief
Financial Officer Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin

Parks, Recreation & Cultural Resources
Director Ruben Wall
Assistant Engineering Director Monica Sarna
Assistant Stormwater Engineer Nick Nolte
Senior Civil Engineer Chris Glass
Police Chief Jeff Leonard
Captain Brandon High
Captain Julius Jefferson

1. Presentations

1.1 Chamber Government Affair - DC Trip

Chairman of the Wake Forest Area Chamber of Commerce Brian Pate spoke about the trip to Washington DC from October 24 to 25, 2023. He provided information on the

topics of conversation and who they would be meeting with while in Washington DC. He provided a brief presentation on the legislative platform and spoke about the importance of relationships.

1.2. Proclamation Recognizing October 2023 as "Community Planning Month"

Mayor Jones read the proclamation into the record.

NATIONAL COMMUNITY PLANNING MONTH PROCLAMATION

WHEREAS, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

WHEREAS, community planning and planners can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in discussions regarding the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

WHEREAS, the American Planning Association and its professional institute, the American Institute of Certified Planners, endorse National Community Planning Month as an opportunity to highlight the contributions sound planning and plan implementation make to the quality of our neighborhoods and environment; and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning boards and other citizen planners who have contributed their time and expertise to the improvement of the Town of Wake Forest; and

WHEREAS, we recognize the many valuable contributions made by the professional community of the Town of Wake Forest and extend our heartfelt thanks for the continued commitment to public service by these professionals;

BE IT RESOLVED THAT, the month of October 2023 is hereby designated as "Community Planning Month" in the Town of Wake Forest in conjunction with the celebration of National Community Planning Month.

Mayor Jones presented the proclamation to Planning Staff and a member of the Planning Board.

1.3. Public Hearing on a petition requesting contiguous annexation submitted by Morris Wake Forest LLC property associated with Morris Subdivision located at 0 N Main St, 1159 N Main St, 1161 N Main St, and 1163 N Main St being Wake County PINs 1841-98-8364, 1841-88-6835, 1841-88-3996, and 1841-89-0142 being approximately 22.949 acres.

Mayor Jones asked if anyone would like to speak.

No one came forward to speak. Mayor Jones declared the public hearing closed.

1.4 Consideration of a petition requesting contiguous annexation submitted by Morris Wake Forest LLC property associated with Morris Subdivision located at 0 N Main St, 1159 N Main St, 1161 N Main St, and 1163 N Main St being Wake County PINs 1841-98-8364, 1841-88-6835, 1841-88-3996, and 1841-89-0142 being approximately 22.949 acres.

ACTION:

Mover: Commissioner Wright moved to approve Item 1.4., Consideration of a petition requesting contiguous annexation submitted by Morris Wake Forest LLC property associated with Morris Subdivision located at 0 N Main St, 1159 N Main St, 1161 N Main St, and 1163 N Main St.

Seconder: Commissioner Sliwinski.

Mayor Jones asked if there was any discussion. No discussion heard.

Vote: Motion carried 4-0.

1.5 Public Hearing on a petition requesting contiguous annexation submitted by High Bar Creek LLC, Huggy Bear LLC, and Nancy H. Dameron Trust for property associated with the Reserve at Dunn Creek Subdivision rezoning request RZ-22-05, located at 0 Friendship Chapel Road and 0 NC 98 Bypass being Wake County PINs 1840-66-0542, 1840-67-6254, 1840-76-1824, and 1840-65-7710 being approximately 67.4249 acres

Mayor Jones asked if anyone would like to speak.

No one came forward to speak. Mayor Jones declared the public hearing closed.

1.6 Consideration of a petition requesting contiguous annexation submitted by High Bar Creek LLC, Huggy Bear LLC, and Nancy H. Dameron Trust for property associated with the Reserve at Dunn Creek Subdivision rezoning request RZ-22-05, located at 0 Friendship Chapel Road and 0 NC 98 Bypass being Wake County PINs 1840-66-0542, 1840-67-6254, 1840-76-1824, and 1840-65-7710 being approximately 67.4249 acres.

ACTION:

Mover: Commissioner Wright moved to approve Item 1.6., Consideration of a petition requesting contiguous annexation submitted by High Bar Creek LLC, Huggy Bear LLC, and Nancy H. Dameron Trust for property associated with the Reserve at Dunn Creek Subdivision.

Second: Commissioner Shackleford.

Vote: Motion carried 4-0.

No discussion heard.

1.7 Public Hearing on Draft Wake Forest Public Transit Plan (CPA-23-02)

Mayor Jones asked if anyone would like to speak.

No one came forward to speak. Mayor Jones declared the public hearing closed.

1.8 Consideration of Draft Wake Forest Public Transit Plan (CPA-23-02)

Mayor Jones asked why Alternative B.2. was chosen as the preferred option. Planning Director Tanner stated it was chosen based on community feedback. Mayor Jones said she doesn't think they are ready to implement the process until they discuss all the different options. Mayor Jones asked if the Board approves it does that mean they'll move forward with that option. Ms. Tanner explained if the Board were to approve the plan as it's currently drafted with the proposed changes to it, staff would then start moving forward in working with CAMPO to obtain the additional community funding they have.

Mayor Jones asked when staff moves forward in putting out a request for quote for micro-transit providers, could the Board then decide whether they want to move forward, depending on the cost. Ms. Tanner replied, absolutely.

Mayor Jones asked if they do move forward with the micro-transit zone the provider cannot go outside of the zone. Ms. Tanner stated it would be set up as a defined area and would be isolated within the boundaries defined.

Commissioner Shackleford remarked that he liked all three of the recommendations from the Planning Board. He asked, if possible, could an additional bus be added to decrease the lapse time to 30 minutes as opposed to an hour.

ACTION:

Mover: Commissioner Sliwinski moved to approve Item 1.: Consideration of Draft Wake Forest Public Transit Plan (CPA-23-02).

Second: Commissioner Shackleford.

Mayor Jones asked if there was any further discussion. No further discussion heard.

Vote: Motion carried 4-0.

1.9 Presentation of LEGISLATIVE CASE RZ-23-05, 2117 Averette Road, a rezoning map amendment filed by Douglas and Sarah Machado to rezone 2.822 acres located at 2117 Averette Road, being Wake County Tax PIN 1851-90-8235, from Wake County's Residential-30 (R-30) to General Residential 5 (GR5).

Assistant Planning Director Jennifer Currin presented Case RZ-23-05, 2117 Averette Rd., she reviewed the rezoning, highlighted permitted uses, and stated staff recommends approval of the rezoning as proposed and finds it to be consistent with the Comprehensive Plan and is in the public interest.

Commissioner Wright asked if the only reason they're requesting to rezone is so they can connect to water and sewer services. Ms. Currin replied, yes. Commissioner Wright asked if the Board doesn't approve the rezoning can they still be annexed. Ms. Currin replied, that if they annexed, they would have to rezone to a Wake Forest zoning district.

Commissioner Sliwinski asked what the key difference is between GR-3 and GR-5 rezoning. Ms. Currin stated from a residential use perspective the difference is that duplexes are permitted in GR-5 and not in GR-3. Commissioner Sliwinski asked if there were any development plans submitted for proposed duplexes. Ms. Currin responded at this time there is nothing that has been brought before staff.

Commissioner Wright asked who would be responsible for water and sewer hook-up. Ms. Currin replied that the applicant would be responsible for any connection costs.

Mayor Jones asked if there were any other questions. No other questions were heard.

- 1.10. Presentation of LEGISLATIVE CASE RZ-20-05-01, Fuller Capital Boulevard Property, a rezoning map amendment filed by Red Line Engineering to rezone 29.367 acres located at 4925 Unicon Drive, 4975 Unicon Drive, and 10200 Capital Blvd (portion), being Wake County Tax PINs 1739-51-8319, 1739-61-2717, 1739-51-4482 (portion) from Rural Holding District (RD) and Light Industrial Conditional District (LI-CD) to Light Industrial Conditional District (LI-CD).

Assistant Planning Director Jennifer Currin presented Case RZ-20-05-01, Fuller Capital Boulevard Property, an amendment to a previous rezoning that came before the Board Case RZ-20-05, Fuller Capital Boulevard Property.

Ms. Currin reviewed the rezoning and highlighted the rezoning conditions, stating the applicant is proposing several rezoning conditions that will be the same as approved with the rezoning of RZ-20-05. Ms. Currin stated the applicant is proposing to add one acre from the adjacent Powell House property to provide an extra buffer to the industrial development they're proposing. Ms. Currin noted that the Planning Board recommended approval by a vote of 5-0 at their September 12, 2023 meeting and found the request consistent with the Comprehensive Plan. Ms. Currin stated staff recommends approval of the rezoning as proposed and finds it to be consistent with the Comprehensive Plan and is in the public interest.

This item will be on the October 17, 2023 Board of Commissioners agenda for a public hearing and action.

- 1.11 Presentation of LEGISLATIVE CASE RZ-21-08, Joyner Property, a rezoning filed by McAdams Company to rezone 124.68 acres located at 1180 and 1200 (portion) Club Villas Dr, being Wake County Tax PINs 1841091336 and 1831895139 (portion) from General Residential 3 Planned Unit Development* (GR3 PUD*); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O) to General Residential 10 Conditional District (GR10-CD); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O). (*While these parcels are labeled as GR3 (PUD), the parcels are not subject to any PUD regulations as the PUD regulations were removed when SU-99-02-01 was approved. Due to the zoning map label, staff will refer to the current zoning as GR3 PUD until such time the official zoning map is amended to remove the PUD text.)

Senior Planner Patrick Reidy presented Case RZ-21-08, Joyner Property, he reviewed the rezoning and the proposed zoning modifications. Mr. Reidy noted that the Planning Board recommended disapproval by a vote of 4-1 at their September 12, 2023 meeting and found the request inconsistent with the Comprehensive Plans and not in the best public interest. The Planning Board made the following considerations for the Board of Commissioners should they vote to approve the rezoning request:

- Remove Condition #13 and require the UDO standard to be met
- Remove Condition #14 and require the UDO standard to be met
- Accept Staff's recommended condition language for Condition #19
- Accept Staff's recommendation for removing Condition #20
 - o Applicant revised condition since PB meeting to request no right turn signs instead of making Country Club Drive one-way
- Accept Staff's recommendation for removing Condition #22

Staff recommends disapproval of the proposed conditional rezoning and finds it to be inconsistent with the Comprehensive Plan and in the public interest for the following reasons:

1. The proposed rezoning is inconsistent with the Sub-urban Policy Emphasis in the Community Plan.
2. The proposed rezoning does not provide any non-residential development along the service road.
3. The proposed rezoning proposed townhomes along a service road, which is inconsistent with the Community Plan.

If the Board of Commissioners were to approve the rezoning request, staff would suggest the following changes to the proposed conditions:

- Condition 19: Staff recommends that this condition be altered to state "At the time of construction drawing submittal, the Developer shall be required to conduct a Phase 2 Environmental Site Assessment for the entire tract. The data from the Phase 2 Environmental Site Assessment shall meet the requirements of statutes for Soil Sample Collection under the Inactive Hazardous Sites Branch (IHSB) regulatory authority and be submitted to the Eastern Unit of the IHSB. A response from the Eastern Unit of the IHSB shall be obtained prior to the Issuance of a grading permit."
- Condition 20 - Staff recommends this condition be removed since it does not create a complete street network and could cause delays in emergency response times.

- Condition 22 – Staff recommends that this condition be removed since it alters the required cross-section and could allow sidewalk, street trees, and curb and gutter to not be installed along a street.

Senior Planner Patrick Reidy answered questions from the Board relating to conditions 19 and 20, open space, the condition of the dams, U-Turn on US-1, Planning Board's request to remove conditions 13 and 14, draining of the ponds and buffers, commercial use on Capital Blvd., and parking spaces.

Assistant Engineering Director Monica Sarna answered questions from the Board relating to concerns regarding flooding impacts.

Mayor Jones asked if there were any other questions. No other questions were heard.

This item will be on the October 17, 2023 Board of Commissioners agenda for a public hearing and action.

1.12. Presentation of the UNRBA Consensus Principles

Assistant Engineering Director Monica Sarna introduced UNRBA Executive Director Forrest Westall.

Forrest Westall presented the UNRBA Consensus Principles. He provided a summary of what they've been doing relative to their study of Falls Lake and the evaluation of what the new rule should look like.

This item will be on the October 17, 2023 Board of Commissioners agenda for action.

1.13. Providing update to the US 1 Traffic Study at S Main Street and Burlington Mills Road intersections, executed by Exult Engineering

Chris Glass Senior Civil Engineer introduced Lisa Lundeen, PE and Jason Pace, PE with Exult Engineering.

Lisa Lundeen presented the traffic components of the study and reviewed the alternatives evaluated and the safety analysis that was conducted.

Jason Pace presented the conceptual designs and the cost estimates and reviewed conceptual widening exhibits for Alternates 1 and 2 at US 1 at S. Main St and Falls of Neuse Rd. and Alternates 1 and 2 at US 1 at Burlington Mills Rd.

Ms. Lundeen answered questions from the Board relating to studies capturing induced demand, the percentage of growth rate used, and alternative 1.

Town Manager Padgett noted no matter what is done there'll be no savings or benefit with any of the alternatives unless they build the additional capacity on Capital Blvd. Ms. Lundeen said there would be some added capacity without widening Capital Blvd., but it will still be a level of service F. She said it would be better but there would still be congestion. Mr. Pace spoke about the widening alternative costs.

Town Manager Padgett said there are no easy solutions to Capital Blvd. He shared there are a lot of projects the Town is trying to accomplish and a lot of them are the Town's roads, and some are NCDOTs roads. If the Board were to pursue one of the options, it would take some work with NCDOT. We need to look at balancing the needs and all the other needs we have from a transportation standpoint. He said in talking with Town Attorney Kingsberry his interpretation of thoroughfare right-of-way is roads, road building, and road design, which they now call transportation impact fees. He said that is a tool the Board has available to them if they'd like to pursue it.

The Board discussed pursuing a Transportation Impact Study.

Board of Commissioners Sliwinski and Commissioner Wright are both in favor of initiating a Transportation Impact Study.

Mayor Jones asked if there were any more questions or comments. No further questions or comments were heard.

Mayor Jones suggested a brief recess.

The Board recessed at 7:57 p.m.

The Board meeting resumed at 8:02 p.m.

1.14. Presentation on Coach Lantern/ Forestville Road Signal Design

Senior Civil Engineer Chris Glass introduced Project Manager Sam MacDonald and Signal Design Lead Nick Matthews with A. Morton Thomas and Associates (AMT).

Mr. Matthews provided a presentation on the proposed signal at Forestville Road at Coach Lantern Ave. He explained the existing conditions as well as the process of the project kickoff, traffic signal warrant, project parameters, and NCDOT requirements. Mr. Matthews spoke about the path forward which will include a survey, preliminary design, and final design, as well as providing a series of options.

Mayor Jones asked if the agreement was only to design the project not to construct the project. Mr. Matthews replied, correct.

1.15. Presentation on PRCR Master Plan Feedback

Parks & Recreation Cultural Resources (PRCR) Director Ruben Wall introduced Consultants Sheweta Nanekar and Jen Beedle with McAdams.

Ms. Nanekar presented the updates to the PRCR Master Plan process and what the Master Plan will bring to the Town through this process. The plan would include parkland and facilities, recreational demand study, staffing, operations, finance, and funding strategies.

Jen Beedle shared the results of the online questionnaire that the Board participated in.

1.16. Presentation Of Municipal Infrastructure Improvements at the U-Turns on Hwy 98 Near the South Franklin Intersection

Assistant Engineering Director Monica Sarna provided a presentation on the traffic signals at the U-Turns at the intersection of Highway 98 and S. Franklin St. She shared that this intersection was improved as part of the Holding Village development. There was a signal warrant analysis done to look at the U-Turns as part of this intersection and to see if signals are warranted. The U-Turn closer to S. Main St. came back as being warranted and very close to being warranted at the U-Turn closer to Heritage Lake Dr. Both the Town and NCDOT agreed that it was close enough that they'd signalize both intersections. The cost estimate came out to be approximately \$400,000 and the developer would be paying 50 percent and the Town would contribute the other 50 percent.

No questions or comments were heard.

1.17. Presentation For Municipal Infrastructure Improvements

Assistant Engineering Director Monica Sarna provided an overview of the S. Franklin St. Expansion which is in association with the Holding Village development. She provided a summary of the expansion and the cost estimate with the breakdown.

Mayor Jones asked for clarification regarding the location of the S. Franklin St. expansion. Ms. Sarna provided clarity on the location of the expansion.

1.18 Street Resurfacing Project FY 24

Assistant Engineering Director Monica Sarna provided an overview of the project including a pavement assessment background, an approach to street selection, a list of effective streets, and a pavement management program.

No questions or comments were heard.

2. Discussion of Monthly Financial Report

2.1. Monthly Financial Report

Received.

3. Review of Draft Agenda for Upcoming Regular Meeting

3.1. Review of Draft Agenda for Upcoming Regular Meeting

The draft agenda was reviewed.

Town Manager Padgett stated that Coach Lantern/ Forestville Road Signal Design would need to be added to the October 17, 2023 agenda.

4. Other Business

No other business was presented.

5. Commissioner Reports

Commissioner Dyer shared that he had the privilege of being Master of Ceremonies for the Memorial Flag-Raising, he attended the Senior Scam Jam, he shared that the Towers of Tunnel 5K is on Saturday, October 7, 2023, the Garden Club is having their 3rd Annual Fund Raiser at the Wake Forest College Birthplace Society on Saturday, October 21st from 10 am to 4 pm. Commissioner Dyer would like to see an itemized statement for the Washington D.C. trip and hopes they're not paying for a cocktail party that is on the Washington D.C. trip agenda.

Commissioner Wright attended the Technical Advisory Board Meeting and the Candidates Forum at the Renaissance Centre.

Commissioner Sliwinski recognized and congratulated KP Kilpatrick for being awarded the 2023 Vision Award from the North Carolina Recreation & Parks Association (NCRPA), Wake Forest 3rd Annual Pickleball tournament will be held October 6 – 8, 2023 at 5:30 pm at Flaherty Park Tennis Complex, Wake Forest Job Fair is on October 11, 2023 at the Renaissance Centre at 10 am to 2 pm, Halloween Boo Bash is on Thursday, October 6, 2023 from 4:30 to 7 pm at Joyner Park.

Commissioner Shackleford had no report.

Mayor Jones thanked Michele Michael for leading the work in restoring the Ailey Young House which led the Town to win the Anthemion Award from Capital Area Preservation, Mayor Jones attended several meetings in the past month.

Town Manager Kip Padgett reminded everyone that it's Public Power Week and several things are going on at Town Hall to celebrate Wake Forest Power and customers. If all the work from this evening's presentations is approved at the October 17th Board of Commissioners meeting, they'll be spending a lot of money on transportation projects. Mr. Padgett told Commissioner Dyer that he emailed the Chambers, and his request was correct; Town funds cannot be used for any alcohol expenses.

6. Adjournment

The Board of Commissioners adjourned the meeting at 9:05 p.m.

Duly approved in open session this 21st day of November 2023.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk

DRAFT



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, October 17, 2023**, at 6:00 p.m. in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Mayor Jones led everyone in the Pledge of Allegiance.

Council Members Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Sary, Commissioner Keith Shackleford, Commissioner Adam Wright, and Commissioner Nick Sliwinski.

Commissioner Members Absent: None.

Staff Members Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager/CFO Aileen Staples
Town Attorney Hassan Kingsberry
Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Finance Director Samantha Sanchez
Parks, Recreation & Cultural Resources
Director Ruben Wall

Senior Planner Patrick Reidy
Senior Planner Tim Richards
Senior Civil Engineer Chris Glass
Assistant Stormwater Engineer Nick Nolte
Fire Chief Ron Early
Fire Captain Ian Moffatte
Police Captain Matthew May
Police Captain Julius Jefferson
Police Captain Brandon High

1. Approval of Agenda

ACTION:

Mover: Commissioner Dyer moved to approve the agenda as presented.

Seconder: Commissioner Sary.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes:

- September 5, 2023 Work Session
- September 19, 2023 Regular Meeting

ACTION:

Mover: Commissioner Wright moved to approve the minutes as presented.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

3. Presentations

3.A. Proclamation Recognizing November 2023 as "Native American Heritage Month"

Mayor Jones acknowledged a proclamation recognizing November 2023 as "Native American Heritage Month".

PROCLAMATION RECOGNIZING NOVEMBER 2023 AS "NATIVE AMERICAN HERITAGE MONTH"

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today, and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.

NOW, THEREFORE, I, Vivian A. Jones, by virtue of the authority vested in me as Mayor of the Town of Wake Forest, North Carolina do hereby proclaim November 2023 as

*“Native American Heritage Month”
in the Town of Wake Forest and urge all our citizens to observe this month with appropriate programs, ceremonies, and activities.*

3.B. Update regarding Increase in Funds for Enhancements at Flaherty Park Field #2.

The Parks, Recreation & Cultural Resources Director Ruben Wall came before the Board regarding an increase in funds for the enhancements at Flaherty Park Field #2.

In October 2022, the Town entered into a partnership with NCABC, Inc (DBA FUNGO). Both parties agreed Flaherty Park Field #2 would be the home field for FUNGO and enhancements would have to be made to the field. The cost for enhancements would be divided between the Town and FUNGO. Due to recommendations and requests from both parties, the cost to make these enhancements has increased.

Items Requested by the Town/FUNGO

- Proposed concrete areas have increased from 450 SY to 650 SY – this was due to moving everything down the foul lines as much as possible (to existing light poles), addition of exterior refreshment sales area.
- Seating areas have increased in size, added stadium seating.
- Bullpens have increased in size, now consist of synthetic turf.
- Synthetic turf mounds and player benches added to bullpens.
- Changed perimeter fence from 4' high chain-link to 6' high decorative fence.
- Increased amount of field fencing to be replaced.
- Addition of warning track mix from current termination points to outfield fence.
- Electrical improvements added for servicing exterior refreshment area.

Commissioner Sary asked if the fees would be split between the Town and Fungo. Director Wall provided answers to Mr. Sary's question.

3.C. Introduction of Candidates for the Board of Adjustments and Planning Board

Mayor Jones recognized the following Board of Adjustment applicant:
Ta'Resa N. Turner

No Board of Adjustment candidates were present to speak.

Mayor Jones recognized the following Planning Board applicants:

Edward Aina	James F. Barber
Ryan T. Blakenship	Joshua Epperson
Jeffrey B. Bruck	Daniel Gardiner
Roger Deutsch	Jennifer Haley
Christopher K. Doherty	Kevin Haynes
George Gawf	Benny A. Jenkins
Joel W. Hubacheck	John Mann
Deanna C. Kabler	Shipman Northcutt
Keith Meadors	Anthony Skubic
Laurence J. Pearlman	Matt Davis
Nick H. Spencer	Jarrett Lane
Lasonda R. Stasinopoulos	Phillip Martin
Matthew Wittl	Sarah Mobraaten
	Veronica Roanhouse
	*Elaine Sheppard
	Michael Siderio

Edward Aina introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Joel Hubacheck introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Kevin Haynes introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Matt Davis introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Phillip Martin introduced himself to the Board of Commissioners and expressed his interest in service to the Planning Board.

Elaine Sheppard introduced herself to the Board of Commissioners and expressed her interest in service to the Planning Board.

3.D. Presentation of Annual Reports from the Town's Advisory Boards

No Advisory Board members were present to speak.

Mayor Jones stated she read all the advisory board reports and thanked all the Advisory Board members for their work.

4. Public hearings / Public Comment

4.A. Public Hearing on LEGISLATIVE CASE RZ-20-05-01, Fuller Capital Boulevard Property, a rezoning map amendment filed by Red Line Engineering to rezone 29.367 acres located at 4925 Unicon Drive, 4975 Unicon Drive, and 10200 Capital Blvd (portion), being Wake County Tax PINs 1739-51-8319, 1739-61-2717, 1739-51-4482 (portion) from Rural Holding District (RD) and Light Industrial Conditional District (LI-CD) to Light Industrial Conditional District (LI-CD).

No one was present to speak.

Mayor Jones declared the public hearing closed.

4.B. Public Hearing on LEGISLATIVE CASE RZ-23-05, 2117 Averette Road, a rezoning map amendment filed by Douglas and Sarah Machado to rezone 2.822 acres located at 2117 Averette Road, being Wake County Tax PIN 1851-90-8235, from Wake County's Residential-30 (R-30) to General Residential 5 (GR5).

Mayor Jones asked if anyone would like to speak.

The following citizen provided public comment:

- Margaret Watkins, 304 Belmellen Ct., Wake Forest, NC 27587 expressed concern about the parcel being rezoned to General Residential 5 (GR 5).

No other questions or comments were heard.

Mayor Jones declared the public hearing closed.

4.C. Public Hearing on LEGISLATIVE CASE RZ-21-08, Joyner Property, a rezoning filed by McAdams Company to rezone 124.68 acres located at 1180 and 1200 (portion) Club Villas Dr, being Wake County Tax PINs 1841091336 and 1831895139 (portion) from General Residential 3 Planned Unit Development* (GR3 PUD*); Falls Lake

Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O) to General Residential 10 Conditional District (GR10-CD); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O). (*While these parcels are labeled as GR3 (PUD), the parcels are not subject to any PUD regulations as the PUD regulations were removed when SU-99-02-01 was approved. Due to the zoning map label, staff will refer to the current zoning as GR3 PUD until such time the official zoning map is amended to remove the PUD text.)

Attorney Nil Ghosh with Morningstar Law Group was in attendance to represent Mr. Carroll Joyner, the property owner of this rezoning. He said this project has been shaped by the various feedback they've received. Mr. Ghosh stated they have nearly five pages of zoning commitment and he touched on a few of those items. He said they're happy to commit to not draining the ponds unless North Carolina Dam Safety indicates the dams are unsafe as is. Mr. Ghosh stated this property is bound to be developed either under the proposed zoning or the current zoning. He stated the development under the current zoning would look very different than what they are proposing.

The following citizens provided public comment:

- Richard Ostergard, 8032 Hawkshead Rd., Wake Forest, NC 27587 spoke in opposition to the rezoning request on behalf of the concerned citizens of the Preservation of Wake Forest Open Space.
- Marcus Potter, 8048 Hogan Dr., Wake Forest, NC 27587 spoke in opposition to the project and asked that the Board deny the request.
- Richard Mayo, 7810 Hogan Dr., Wake Forest, NC 27587 spoke in opposition to the rezoning request.
- Janice Davis, 1009 Lightfoot Ct., Wake Forest, NC 27587 spoke in opposition to the rezoning request and asked that the Board deny the request.

Mayor Jones asked if anyone else wanted to speak. No one came forward to speak.

Mayor Jones declared the public hearing closed.

4.D. Public Hearing to receive public comment on the Installment Financing (160A-20) of Street Resurfacing project

Mayor Jones asked if anyone would like to speak. No one came forward to speak.
Mayor Jones declared the public hearing closed.

4.E. Public Hearing to receive public input on capital needs for inclusion in the five-year Capital Improvements Plan (CIP) update for FY 2024-2029

The following citizen provided public comment:

- Grif Bond, 1012 Coram Fields Rd., Wake Forest, NC 27587 would like for the Board to consider a few electric vehicles for the Town fleet.

Mayor Jones asked if anyone else would like to speak. No one else came forward to speak.

Mayor Jones declared the Public Hearing closed.

4.F. Public Hearing on Fire Impact Fee Update

The following citizen provided public comment:

- Grif Bond, 1012 Coram Fields Rd., Wake Forest, NC 27587 asked that the Board approve 100 percent of the suggested and recommended rates in all the categories. Mr. Bond stated that the Ratellis Report in the agenda packet is noted as a draft. He asked that the Board have the final report, so they are not taking action on a draft.

Mayor Jones asked if anyone else would like to speak. No one else came forward to speak.

Mayor Jones declared the Public Hearing closed.

4.G. Public hearing on a petition requesting annexation submitted by Douglas and Sarah Machado for property associated with the rezoning request RZ-23-03, located at 2117 Averette Road being Wake County PIN 1851-90-8235 being approximately 2.822 acres.

Mayor Jones asked if anyone would like to speak. No one came forward to speak.

Mayor Jones declared the Public Hearing closed.

4.H. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

Mayor Jones asked if anyone had any public comments.

The following citizens provided public comment:

- David Michaels 2333 Welsh Tavern Way, Wake Forest, NC 27587 spoke about managing growth. He asks that the Board come up with plans that control growth and put a priority on what citizens are asking.
- Margaret Watkins, 304 Belmellen Ct., Wake Forest, NC 27587 said it's difficult for the county to estimate how many children in each grade level will be moving to Wake County with all these new developments. She said this is one more instance where there are unintentional consequences to all the development going on.
- Matthew Reck, 708 Ledgerock Rd., Wake Forest, NC 27587 expressed concern about the new cameras installed in Town. He said the Town is contracting to a private company to do license plate checks. What guarantees that this company isn't going to sell the information to other companies.

Mayor Jones asked if anyone else would like to speak. No one came forward to speak.

5. Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

5.A. Town Approval of the UNRBA Consensus Principles

[Filed in the Clerk's Office as Resolution 2023-49.]

- 5.B. Approval of Resolution Authorizing Primary and Secondary Agents for NC Department of Public Safety (FEMA) relative to Smith Creek Reservoir Dam Mitigation Project (LPDM-PF-04-NC-2022-001)

[Filed in the Clerk's Office as Resolution 2023-54.]

- 5.C. Approval of municipal infrastructure improvements at the U-turns on Hwy 98 near South Franklin intersection

[Filed in the Clerk's Office as Resolution 2023-53.]

- 5.D. Approval of municipal infrastructure improvements along South Franklin

[Filed in the Clerk's Office as Resolution 2023-52.]

- 5.E. Approval of a resolution for the Town Manager to enter into an agreement for the FY24 Streets Resurfacing Project

[Filed in the Clerk's Office as Resolution 2023-48.]

- 5.F. Approval of a Resolution Accepting a Downtown Revitalization Grant from Electricities of North Carolina

[Filed in the Clerk's Office as Resolution 2023-51.]

- 5.G. Approval of a Resolution to Enact an Ordinance Prohibiting Smoking and the Use of Tobacco Products and Vapor Products in Town Buildings, in Town Vehicles, and on Town Grounds

[Filed in the Clerk's Office as Ordinance 2023-32.]

- 5.H. Approval to authorizing execution on behalf of the Town of Wake Forest, a contract with A. Morton Thomas and Associates, Inc. for the warrant analysis, future planning options, design, and survey for the future signal, listed as a CIP

project, at the intersection of Forestville Road (State Road 2049) and Coach Lantern Ave/Green Drake Drive.

[Filed in the Clerk's Office as Resolution 2023-50.]

ACTION:

Mover: Commissioner Wright moved to approve the consent agenda as presented.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

6. Legislative Items

6.A. Appointment of Candidates for the Board of Adjustment and Planning Board

Town Clerk Savary stated the following applicants were selected for the Planning Board:

- Elaine Sheppard
- Matt Davis

Town Clerk Savary stated the following applicant was selected for the Board of Adjustment:

- Rick Porter

Commissioner Sliwinski stated there was no application in the agenda packet for Rick Porter. Mayor Jones stated Rick Porter is currently a member of the Board of Adjustment and had decided to reapply.

ACTION

Mover: Commissioner Wright moved to approve as read into the record.

Second: Commissioner Sary.

Vote: Motion carried 5-0.

7. Planning Items

7.A. Consideration of a petition requesting annexation submitted by Douglas and Sarah Machado for property associated with the rezoning request RZ-23-03, located at

2117 Averette Road being Wake County PIN 1851-90-8235 being approximately 2.822 acres.

ACTION:

Mover: Commissioner Sary moved to approve rezoning request RZ-23-03, located at 2117 Averette Road.

Seconder: Commissioner Shackelford.

Vote: motion carried 4-1.

Aye

Chad Sary

Jim Dyer

Keith Shackelford

Nick Sliwinski

Nay

Adam Wright

7.B. Consideration of LEGISLATIVE CASE RZ-20-05-01, Fuller Capital Boulevard Property, a rezoning map amendment filed by Red Line Engineering to rezone 29.367 acres located at 4925 Unicon Drive, 4975 Unicon Drive, and 10200 Capital Blvd (portion), being Wake County Tax PINs 1739-51-8319, 1739-61-2717, 1739-51-4482 (portion) from Rural Holding District (RD) and Light Industrial Conditional District (LI-CD) to Light Industrial Conditional District (LI-CD).

Commissioner Sliwinski asked if there were any plans to do anything with the sliver of land along Capital Blvd. Planner II Emma Linn stated it's an addition of one acre between the two parcels but will become part of the whole property that will serve as a 50' buffer between the adjacent light industrial use and the residential use.

ACTION:

Commissioner Sliwinski moved to approve Case RZ-20-05-01, Fuller Capital Boulevard Property with the consistency statement

Seconder: Commissioner Wright.

Vote: 5-0.

7.C. Consideration of LEGISLATIVE CASE RZ-23-05, 2117 Averette Road, a rezoning map amendment filed by Douglas and Sarah Machado to rezone 2.822 acres located at 2117 Averette Road, being Wake County Tax PIN 1851-90-8235, from Wake County's Residential-30 (R-30) to General Residential 5 (GR5).

ACTION:

Mover: Commissioner Sary moved to approve Case RZ-23-05, 2117 Averette Road with the consistency statement.

Seconder: Commissioner Dyer.

- *Commissioner Sliwinski commented that General Residential 5 does fit in a little bit more with the surrounding areas but he's more comfortable with Zoning General Residential 3 if the intent is just to get water and sewer.*

Vote: Motion carried 3-2.

Aye

Chad Sary
Jim Dyer
Keith Shackelford

Nay

Adam Wright
Nick Sliwinski

7.D. Consideration of LEGISLATIVE CASE RZ-21-08, Joyner Property, a rezoning filed by McAdams Company to rezone 124.68 acres located at 1180 and 1200 (portion) Club Villas Dr, being Wake County Tax PINs 1841091336 and 1831895139 (portion) from General Residential 3 Planned Unit Development* (GR3 PUD*); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O) to General Residential 10 Conditional District (GR10-CD); Falls Lake Watershed Protection Overlay (FL-WMA); and Special Highway Overlay (SH1-O). (*While these parcels are labeled as GR3 (PUD), the parcels are not subject to any PUD regulations as the PUD regulations were removed when SU-99-02-01 was approved. Due to the zoning map label, staff will refer to the current zoning as GR3 PUD until such time the official zoning map is amended to remove the PUD text.)

Senior Planner Patrick Reidy shared that following the Planning Board meeting, the applicant submitted revised conditions:

- Revised Condition #13 to reduce the service road's street yard buffer from 30' to 15' for Lots 183-193 and 207-228 and from 30' to 10' for Lots 166-182.
- Revised Condition #20 to change that instead of requesting Country Club Drive be made a one-way street, now only making the request to place no right turn signs on the service road and street H. The revision was made to try and find a more reasonable solution to the neighbor's concerns about cut-through traffic using Country Club Drive.

Mr. Reidy stated staff does not recommend accepting the proposed conditions for the following reasons:

- Condition 19: The Town is not the appropriate agency to receive data from the Phase 2 Environmental Site Assessment since the Town has zero regulatory authority over the matter. To genuinely address concerns raised by those living near the golf course, all data from the Phase 2 Environmental Site Assessment should meet the requirements of statutes for Soil Sample Collection under the Inactive Hazardous Sites Branch (IHSB) regulatory authority and be submitted to the Eastern Unit of the IHSB.
- Condition 20: The developer has been advised on multiple occasions that no form of restricted access (one-way, no right turn, etc.) will be approved for County Club Drive. This condition is disingenuous and provides unrealistic hope of a potential change to those living in the vicinity.
- Additionally, these forces existing residents in the Country Club Downs and Riverstone neighborhoods to use Jenkins Road to access their home which means 1) the Country Club Downs and Riverstone residents will not have an additional local road connectivity option, and 2) the Country Club Downs and Riverstone residents would likely be the ones ignoring the sign and therefore ticketed when traffic violations are enforced.
- Condition 22: The Planning Department has clearly articulated to the applicant that the required cross-section must be met. Like Condition 20, it is disingenuous and provides unrealistic hope of a potential change to those living in the vicinity.
- Condition 23: The current definition of open space in the UDO is "Those areas set aside and protected from development which may be left in a generally unimproved state". The ponds referenced in this condition are part of the PUD's required open space (SUP-99-02-01).
- Additionally, the UDO defines development as, "Includes the following human caused activities that require a permit or approval from any agency, including but not limited to (1) Any land disturbing activity which adds to or changes the impervious land cover; (2) excavation, grading, filling, mining, or clearing of land; (3) draining, damming or dredging of water bodies; (4) the subdivision of land as defined by NC General Statutes; (5) the construction, alteration, enlargement, or movement to another site of any structure; (7) the demolition of a building; and (8) the initiation or substation change in the use of land or the intensity of use of land".

- Therefore, if the ponds are drained, the Town would have to issue a Notice of Violation for failing to comply with the SUP open space requirement.

Mr. Reidy answered questions from Board members regarding clarification on Condition 19 regarding soil testing, and Condition 23 regarding removal of the ponds, consequences if the ponds were drained., high-density development, road connections, traffic calming, building in the SUP, buffers, and the cracking of the dam.

ACTION:

Mover: Commissioner Sliwinski made a motion to deny Case RZ-21-08, Joyner Property with the consistency statement.

Secunder: Commissioner Wright.

- *Commissioner Sliwinski said he recognizes the parcel will be built in some way or another at some point but doesn't see this as the best and highest use for the parcel. He said the proposed development does not live up to the spirit of either the 2009 Community Plan or the 2022 Community Plan. He said no objections as far as the commercial development within the Capital Blvd. corridor were brought up, so he is led to believe that they still desire that. He said they need to be more cautious not less when it comes to chemicals in our watershed. He'd like for stronger language to help remediate and ensure they are not allowing chemicals into Horse Creek that become their drinking water. He said one thing the residents have been asking for is less dense single-family homes to be built in harmony with the surrounding community and would like to support them in that. Commissioner Sliwinski respectfully asked that they vote to deny this rezoning.*
- *Commissioner Wright said going into this he made an effort as well as Commissioner Sliwinski to meet with the residents and the developer to find common ground. Mr. Ghosh said there wasn't a want for commercial. Commissioner Wright explained they were told there was going to be a park dedicated to Dr. Joyner's wife. He doesn't see anything about a park dedication. Mr. Ghosh explained they worked with Town staff on that. Mr. Ghosh showed the area where the park would go but the Town indicated that this was not an area where they would want to have a park because of environmentally sensitive features there. This is not something the surrounding neighbors want, and he is backing their voice and recommending denial.*

Vote: Motion to deny failed 2-3.

Aye

Commissioner Sliwinski
Commissioner Wright

Nay

Chad Sary
Jim Dyer
Keith Shackelford

Commissioner Wright said if there's going to be another motion to approve, he asked that Condition #19 go to the state board agency. Mr. Wright also asked that the condition regarding the ponds be removed entirely. Mr. Ghosh stated for the record, the intent here is to leave the ponds. We recognize there may be a requirement from the state to drain them in which case they intend to drain them. He said this does not have to be part of the zoning. He said they would remove condition #23 as stated.

Town Manager Padgett stated, under state law, if there are any changes to the conditions they need to be put in writing and signed by the applicant before the Board can approve.

Planning Director Tanner said if the Board wants modifications, she recommends they table the item and be very clear in their direction as to what they want, so staff can work with the applicant and bring back those conditions to the next work session for the Board to take action.

ACTION:

Mover: Commissioner Sliwinski moved to table Case RZ-21-08, Joyner Property until the Board of Commissioners Work Session on November 9, 2023.

Second: Commissioner Shackelford.

Commissioner Wright asked that the following be added as a condition.

- Commissioner Wright said anytime they have something in non-compliance with the Community Plan it costs about \$1500 to be able to record it. He asks that the developer pay that fee.*

Vote: Motion carried 5-0.

8. Administration and Financial Items

8.A. Consideration of a Resolution amending Fire Impact Fee Update

ACTION:

Mover: Commissioner Sary moved to approve a resolution amending the Fire Impact Fee Update

Seconder: Commissioner Dyer.

Vote: Motion carried 5-0.

8.B. Consideration of an Ordinance to approve and authorize the execution and delivery of the Amended and Restated Full Requirements Power Sales Agreement (FRPSA)

ACTION:

Mover: Commissioner Sary moved to approve an ordinance to approve and authorize the execution and delivery of the Amended and Restated Full Requirements Power Sales Agreement (FRPSA)

Seconder: Commissioner Wright.

Vote: Motion carried 5-0.

9. Public Services Items

No Public Service Items presented.

10. Parks and Recreation Items

No Parks and Recreation Items presented.

11. Public Safety Items

No Public Safety Items presented.

12. Other Business

12.A. Department Monthly Report

Received.

12.B. Commissioner Reports

Commissioner Sary had no report.

Commissioner Shackelford had no report.

Commissioner Sliwinski reported that the first Mental Wellness & Self Care Fair will take place on Saturday, October 21, 2023 at the Wake Forest Renaissance Centre, from 1-4pm.

Commissioner Wright asked that folks come out and support their local small businesses.

Commissioner Dyer reported that the Garden Club will have their 3rd Annual Garden Party Craft Show on Saturday, October 21, 2023 at the Wake Forest College Birthplace Society. He participated in the Tunnel of Towers and will also participate in the reading of the thirty-nine MIAs and POWs.

Mayor Jones reported that the Joyner Park Community Center received the Aspire Citation Award from the American Institute of Architects. She attended the Celebration of Arts and thanked the Public Art Commission for their work. She attended an open house at Bright Path Adolescent Mental Health Center on Capcom Ave. and attended the American Planning Association North Carolina Conference in Durham, the Town of Wake Forest won three awards for their planning efforts in the Historic Preservation Plan, the Northeast Community Plan, and the Affordable Housing Plan. Michelle Michael received the 2023 Robert E. Stipe Professional Award.

Assistant Town Manager Candace Davis said the Board had asked staff to research several questions about the possibility of establishing impact transportation fees in Wake Forest. Ms. Davis stated that based on the Board's initial questions staff provided information about other municipalities within the triangle that have fees. She said staff would like the Board's consensus in staff sending out a request for proposal so that a consultant firm can come on board to do further studies in terms of transportation impact fees. The consensus of the Board was to move forward with a request for proposal.

12.D. Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)".

To prevent the disclosure of information that is privileged or confidential or is not of public record, N.C.G.S. § 143-318.11(a)(1).

ACTION:

Mover: Commissioner Dyer moved to go into closed session at 8:31 p.m.

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

The Board reconvened to open session at 8:50 p.m.

ACTION:

Mover: Commissioner Sary moved to approve a resolution regarding acquisition of a fee simple interest in certain property for the construction of Wake Forest Fire Department Fire Station 6.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

13. Adjournment

ACTION:

Mover: Commissioner Sary made a motion to adjourn at 8:53 p.m..

Second: Commissioner Sliwinski.

Vote: Motion carried 5-0.

Duly approved in open session this 21st day of November 2023.

(ATTEST)

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-227-
Submitted by: Aileen J. Staples
Submitting Department: Finance
Meeting Date: November 21, 2023

SUBJECT

Presentation of fiscal year ended June 30, 2023 Annual Comprehensive Financial Report

Recommendation:

Item Summary:

ATTACHMENTS

- [Presentation of Annual Financial Report for June 30, 2023_summary.pdf](#)

Presentation of fiscal year ended June 30, 2023 Annual Comprehensive Financial Report

April Adams, partner with Cherry Bekaert LLP will present the audited financial report for the year ended June 30, 2023. There will be a power point presentation summarizing the financial performance of the Town for the fiscal year 2022-2023. Staff will follow up with additional information and be available for questions.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-263-

Submitted by: Brandon High

Submitting Department: Public Safety

Meeting Date: November 21, 2023

SUBJECT

Resolution Recognizing Sergeant David Doherty on his Retirement

Recommendation:

Item Summary:

ATTACHMENTS

- [Doherty Summary appreciation of services.docx](#)
- [Doherty Resolution of Appreciation for Services.docx](#)

Agenda: Resolution recognizing Sergeant David Doherty on his retirement

Summary: Sergeant David Doherty retired, effective September 11, 2023. Sergeant Doherty started working for the town in January of 2008. He retired as a Police Sergeant with the Wake Forest Police Department.

RESOLUTION 2023-XX

RESOLUTION OF APPRECIATION FOR
THE SERVICES OF

Sergeant David Doherty

WHEREAS, Sergeant David Doherty was hired as a Police Officer I in January of 2008 and served as a sworn member of the Wake Forest Police Department for over 15 years with a retirement date of September 11, 2023; and

WHEREAS, Doherty was promoted to Police Corporal in January of 2015; and

WHEREAS, Doherty was promoted to Police Sergeant in February of 2017; and

WHEREAS, Doherty received many hours of training and served in a variety of positions within the Wake Forest Police Department including Sergeant of the Criminal Investigation Division, Internal Affairs Investigator, and interview panelist on the oral review board for new hires; and

WHEREAS, Doherty served unselfishly as a law enforcement officer for the good of the Town of Wake Forest, making sacrifices in personal and family ties;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Sergeant David Doherty is hereby officially commended by this Board on behalf of the citizens of Wake Forest for valuable and outstanding service rendered to the Town of Wake Forest Police Department in his official capacity as a Police Sergeant.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the Town of Wake Forest and that a copy of this resolution is presented to Sergeant Doherty.

This the 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-318-

Submitted by: Ella Dowtin

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Introduction of Candidates for Board of Adjustment

Recommendation:

Item Summary:

ATTACHMENTS

- [Summary Sheet_Candidates Board of Adjustment.pdf](#)

Agenda Item: Introduction of candidates for the Board of Adjustment (Alternate Member).

Summary: Candidates have been invited to the November 21, 2023, meeting to be introduced and share why interested in being appointed to the advisory board of their choice.

Attachment: None.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-265-

Submitted by: Patrick Reidy

Submitting Department: Planning

Meeting Date: November 21, 2023

SUBJECT

Public Hearing on LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O).

Recommendation:

Item Summary:

ATTACHMENTS

- [BOC Agenda Summary RZ-23-02.pdf](#)
- [RZ-23-02 Staff Report.pdf](#)
- [Attachment A - Neighborhood Meeting Information.pdf](#)
- [Attachment B - Application.pdf](#)
- [Attachment C - Maps.pdf](#)
- [Attachment D - Planning Board Recommendation and Plan Consistency Analysis.pdf](#)
- [Attachment E - TIA Executive Summary and NCDOT Review Report.pdf](#)
- [Exhibit 1 - Legal Description.pdf](#)
- [Ordinance RZ-23-02 Stadium Drive Mixed-Use.docx](#)
- [Exhibit 2 - Consistency Statement RZ-23-02.pdf](#)
- [Exhibit 3 - Proposed Conditional District Plan.pdf](#)

Agenda Item: Public Hearing on LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed-Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD) and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD) and Special Highway Overlay (SH1-O).

Summary: A public comment session was held at the October 10, 2023 Planning Board meeting. The Planning Board voted 5-0 to find the request consistent with the Community Plan and recommended approval of the zoning map amendment (rezoning). The Planning Board made the following suggestions for the applicant to consider:

- Include more specificity to the public art commitment
- Provide a commitment to provide green infrastructure elements
- Better define how placemaking will be provided
- Provide a crosswalk across Stadium Drive
- Provide building renderings

Since the Planning Board meeting, the applicant has revised their conditions:

- Condition #11 – Specified the type of public art that could be provided and included a minimum commitment of \$50,000 towards public art
- Condition #13 – A new condition was added to provide a commitment to placemaking between Buildings 1 and 2 by providing stamped concrete or paver stone sidewalks, stamped concrete or decorative art crosswalk, and decorative lighting
- Condition #17 – A new condition was added that the developer will provide a crosswalk across Stadium Drive if approved by NCDOT

Attachments: See Staff Report



Staff Report

Case RZ-23-02: Stadium Drive Mixed-Use Conditional District

Meeting Date	November 21, 2023
Requested Actions	Consideration of the following items related to the Conditional Zoning Map Amendment request for 0 Stadium Drive: 1. Act on Plan Consistency Statement 2. Rezone 19.30 acres on the Town of Wake Forest Zoning Map from Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O).
Case Manager	Patrick Reidy, Senior Planner – Development Services
Planning Board Recommendation	Recommended approval by a vote of 5-0 of the zoning map amendment request. The Planning Board made the following suggestions for the applicant to consider: • Include more specificity to the public art commitment • Provide a commitment to provide green infrastructure elements • Better define how placemaking will be provided • Provide a crosswalk across Stadium Drive • Provide building renderings See Attachment D for the Planning Board Recommendation and Plan Consistency Analysis. Since the Planning Board meeting, the applicant has revised their conditions: • Condition #11 – Specified the type of public art that could be provided and included a minimum commitment of \$50,000 towards public art • Condition #13 – A new condition was added to provide a commitment to placemaking between Buildings 1 and 2 by providing stamped concrete or paver stone sidewalks, stamped concrete or decorative art crosswalk, and decorative lighting • Condition #17 – A new condition was added that the developer will provide a crosswalk across Stadium Drive if approved by NCDOT

PUBLIC MEETINGS

Neighborhood Meeting	Public Comment Session	Public Hearing
March 14, 2023 (See Attachment A)	October 10, 2023	November 21, 2023

CASE INFORMATION

Applicant	Williams Mullen C/O Tom Johnson 301 Fayetteville St, Suite 1700 Raleigh, NC 27601
Developer	Capitol Commercial, LLC C/O Tyler Morris PO Box 6247 Raleigh, NC 27628
Property Owner	Southeastern Baptist Theological Seminary C/O Ryan Hutchinson 240 N. Wingate Street Wake Forest, NC 27587-2343
Location	Frontage along US-1 and Stadium Drive
Addresses	0 Stadium Drive
Wake County Tax PIN	1831957846
Acreage	19.30 acres
Zoning	Existing: Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) Proposed: Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O)
Land Use	Existing: Vacant Proposed: General Commercial – 19,428 square feet Medical Clinic – 25,00 square feet Dwelling – Multifamily (307 units)
Community Plan Designation	Corridor Commercial Located within an Activity Center area centered at the US-1 and Durham Road interchange

Corporate Limits	This application is in the Town's corporate limits
<i>See Attachment B for a copy of the application and Attachment C for Aerial, Zoning, and Community Plan Maps. See Community Plan page 42 in a description of Corridor Commercial areas and page 48 for guidance on Activity Centers. See also Community Plan page 66 for relevant policies on commercial development, page 69 for relevant policies on screening and buffering, and page 70 for relevant policies on community character.</i>	

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	Townhome Dwellings (Staffordshire)	General Residential 5 Planned Unit Development (GR5 PUD)
South	Vacant; General Commercial Greater than 100,000 sf (Wake Forest Crossing)	Rural Holding District (RD) and Conditional Use Highway Business (CU HB)
East	Townhome Dwellings (Staffordshire)	General Residential 5 Planned Unit Development (GR5 PUD)
West	Single-Family Dwellings; US1 Right-of-Way	Residential Mixed-Use Conditional District (RMX-CD); Conditional Use General Residential 3 (CU GR3); and General Residential 3 (GR3)
The proposed land use is generally compatible with surrounding land uses. The proposed zoning is generally compatible with surrounding zoning. <i>See Attachment C for associated maps.</i>		

MASTER PLAN ANALYSIS

Open Space	Required: 2% or 0.38 acres Proposed: 2% or 0.38 acres Summary: The proposed Master Plan complies with the minimum open space percentage requirement in the UDO.
Park Space	Required: 2% or 0.38 acres Proposed: 2% or 0.38 acres Summary: The proposed Master Plan complies with the minimum park space percentage requirement in the UDO.

Active Recreation	Required: 25% of park space or 0.1 acres Proposed: 25% of park space or 0.1 acres Summary: The proposed Master Plan complies with the minimum park space percentage requirement in the UDO.
Public Utilities	Required: The UDO requires that public water and sewer mains are extended to serve the site. Proposed: This property is served by a 12" water line located along Stadium Drive. It is also served by an 8" sewer line located along Stadium Drive that will be extended through the project. There is an existing 8" water main and a 6" force sewer line that is located along Old Stadium Drive, these lines will be re-routed through the site. Summary: The proposed Master Plan complies with the public utility requirements in the UDO.
Parking	Required: Per UDO Chapter 9.4, the parking requirement for dwelling-multifamily is 1.8 spaces per unit or 553 parking spaces. The parking requirement for general commercial is 1 space per 350 SF or 56 parking spaces. The parking requirement for medical clinic is 1 space per 250 SF or 100 parking spaces. A total of 709 parking spaces are required. The bike parking requirement for Dwelling – Multifamily is 2 per 40 auto spaces and 1 per 30 units for private recreation facilities or 35 bike spaces. The bike parking requirement for general is 2 per 40 auto spaces or 3 bike spaces. The bike parking requirement for medical clinic is 2 per 50 auto spaces or 4 bike spaces.
	Proposed: The applicant is proposing to provide 623 parking spaces through off-street parking spaces. Rezoning condition #5a requests that the requirement for dwelling multi-family be reduced from 1.8 spaces per unit to 1.52 spaces per unit since this is a mixed-use project where residents will not need to drive to use the non-residential uses. The developer will provide at least 42 bike parking spaces. The final locations will be determined at the time of Construction Plan review. Summary: The proposed Master Plan complies with the minimum parking requirements in the UDO if Condition #5a is approved by the Board of Commissioners.
Roads	Required: The Comprehensive Transportation Plan requires a US-1 Service Road North of S. Main Street cross section adjacent to US-1. It also required a 3A cross section for Stadium Drive. Based on the amount of development proposed, the UDO required a Transportation Impact Analysis (TIA).

	Proposed: The proposed Master Plan (Exhibit 1, Sheet PP8.0) complies with the US-1 service road cross sections for the new service road adjacent to US-1 and the 3A cross section for Stadium Drive. The US 1 Council of Planning determined that the proposed Master Plan is generally in compliance with the US 1 Corridor Study at its March 30, 2023 meeting. A TIA was provided for the project (Attachment E). The improvements required to mitigate the impact of the development are: <u>Old Stadium Drive</u> • Realign Old Stadium Drive to intersect Stadium Drive at the existing intersection of Stadium Drive and the Wake Forest Crossing Shopping Center northern driveway instead of Glencoe Drive. This realignment is consistent with the plans for the Y26 Service Road as part of NCDOT STIP U-5307 • Realigned Old Stadium Drive (future Y26 collector road) should be constructed as a 3-lane section to provide left-turn lanes at the site driveways <u>Stadium Drive at Shopping Center Driveway/Old Stadium Drive</u> • Restripe eastbound Stadium Drive to provide a left-turn lane with 100 feet of storage • Construct a westbound right-turn lane with 100 feet of storage on Stadium Drive • Construct the southbound approach with a through-right-turn lane and a left-turn lane that extends back into a TWLTL towards the intersection of Stadium Drive at Medical Driveway 2/Site Driveway 2. • Restripe the northbound Shopping Center Driveway approach to add a through movement to the northbound right-turn lane <u>Old Stadium Drive at Medical Driveway 1</u> • Construct the full-movement Medical Driveway 1 with one ingress and one egress lane <u>Old Stadium Drive at Site Driveway 1</u> • Construct the full-movement Site Driveway 1 with one ingress and one egress lane • Construct the northbound approach with a right-turn lane and a left-turn lane that extends back into a two-way left-turn lane (TWLTL) towards the intersection of Old Stadium Drive at Medical Driveway 2/Site Driveway 2 • Construct the eastbound approach with one through-right lane • Implement all-way stop control <u>Old Stadium Drive at Medical Driveway 2/Site Driveway 2</u> • Construct the full-movement Medical Driveway 2 with one ingress and one egress lane
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	- Construct the full-movement Site Driveway 2 with one ingress and one egress lane. - Construct a northbound left-turn lane that extends back into a TWLTL towards the intersection of Stadium Drive at Shopping Center Driveway/Old Stadium Drive In addition to the TIA requirements, NCDOT is requiring a 2nd U-turn lane on US-1 north of Stadium Drive at the RCI that will be installed as part of the Amavi development. - The developer has also offered rezoning condition #6 that requires the developer to install these improvements. The condition also states that if Amavi does not construct the RCI improvements, this developer shall pay a fee-in-lieu in the amount of 3% of the cost of the full RCI construction based on the amount of traffic that this development will generate at the US-1/Stadium drive intersection.
	Summary: The proposed Master Plan complies with the minimum roadway infrastructure requirements in the UDO.

PROPOSED MODIFICATIONS OF BASE NEIGHBORHOOD MIXED-USE ZONING DISTRICT STANDARDS

Article 2.2.3.D.1 Principal Front Setback	
Required:	12' max
Proposed:	40' max from back of curb of parking lot to front of building
Article 2.2.3.D.5 Frontage Buildout	
Required:	60% min
Proposed:	35.1% for Lot 1 along Street A and 25.4% for Lot 2 along Street A
Article 2.4.3.C Special Highway Overlay Landscaping and Buffering	
Required:	50' average street bufferyard for frontage of existing right-of-way (US-1) 30' average street bufferyard adjacent to access road (Street A)
Proposed:	20' average street bufferyard for frontage of existing right-of-way (US-1) 20' average street bufferyard adjacent to access road (Street A)
Article 2.4.3.D Special Highway Overlay Dimensional Requirements	
Required:	Building Setback - 100 feet from property line abutting major access corridor Parking Setback - 50 feet from property line abutting major access corridor.
Proposed:	Building Setback: 25 feet for Building 6 and 48 feet for Building 2 from property line abutting major access corridor. Parking Setback: 24 feet for Lot 2

Article 9.3 Permitted Parking Locations Required: Parking permitted in 2nd and 3rd layers only. Proposed: Parking to be allowed per Master Plan.
Article 9.4.A.6 Off-street Parking Required: 1.8 parking spaces per unit for Multifamily Proposed: 1.52 parking spaces per unit for Multifamily
<i>See Attachment B for proposed zoning conditions.</i>

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2022)	The proposed zoning map amendment request is generally consistent with the adopted 2022 Community Plan.
Comprehensive Transportation Plan (2019)	The proposed zoning map amendment request is generally consistent with the Comprehensive Transportation Plan.
Historic Preservation Plan (2021)	The Historic Preservation Plan is not applicable to the zoning map amendment request.
Northeast Neighborhood Plan (2007)	The Northeast Neighborhood Plan is not applicable to the zoning map amendment request.
Park, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Resources Master Plan is not applicable to the zoning map amendment request.
Public Art Vision Plan (2009)	The Public Art Vision Plan is not applicable to the zoning map amendment request. The applicant has provided Conditions #11 to provide public art as part of the development.
Renaissance Plan (2017)	The Renaissance Plan is not applicable to the zoning map amendment request.
<i>See Attachment D for detailed Plan Consistency Analysis. The Comprehensive Transportation Plan is not included in the Consistency Analysis since cross-sections are the only applicable element of the Plan.</i>	

STAFF RECOMMENDATION

The zoning map amendment request is generally **Consistent** with the relevant policies in the Comprehensive Plan, and **Approval** of the zoning map amendment request is reasonable and in the public interest.

ATTACHMENTS

Attachment A:	Neighborhood Meeting Information
Attachment B:	Application
Attachment C:	Maps
Attachment D:	Planning Board Recommendation and Plan Consistency Analysis
Attachment E	TIA Executive Summary and NCDOT Review Report

EXHIBITS

Exhibit 1:	Legal Description
Exhibit 2:	Consistency Statement
Exhibit 3:	Proposed Conditional District Plan

NEIGHBORHOOD MEETING SUMMARY PACKAGE
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING
(RZ-23-02/SP-23-04)

Unaddressed Property on Stadium Drive, Wake Forest, NC
(Wake County PIN: 1831957846)

Included:

- Mailed Neighborhood Meeting Notice
- List of Owners - Properties within 500 Feet
- Summary of Neighborhood Meeting
- Meeting Attendance Sign-in Sheet

WILLIAMS MULLEN

Thomas H. Johnson, Jr.
Direct Dial: 919.981.4006
tjohnson@williamsmullen.com

March 1, 2023

Re: Notice of Neighborhood Meeting for Proposed Rezoning – Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

Dear Neighboring Property Owner:

You are invited to attend an informational neighborhood meeting to learn about a proposed rezoning for an 18.6-acre unaddressed property (identified as Wake County PIN: 1831957846) located on Stadium Drive and adjacent to the east side of Capital Boulevard, outlined in red shown on the enclosed vicinity maps. The meeting will be held on **Tuesday, March 14, 2023 from 6:00 PM until 7:00 PM in Carson Hall (Room 101) located at 101 N Wingate Street, Wake Forest, NC, on the Southeastern Baptist Theological Seminary Campus** (parking is located adjacent to the building). The applicant is proposing to rezone the property from the current zoning of Rural Holding District (RD) to Neighborhood Mixed-Use Conditional District (NMX-CD) to allow for development that includes a building for medical office use, mixed-use buildings with multifamily dwellings above ground level commercial/retail uses, buildings with only multifamily dwellings, and associated amenity areas for residents with development on the site subject to an associated conditional district master plan (see attached) included as part of the rezoning application.

In accordance with Town of Wake Forest neighborhood meeting procedures, applicants are required after filing a rezoning application with the Town to notify owners of properties within 500 feet of property that is the subject of the proposed rezoning and invite them to attend a neighborhood meeting. This meeting allows the applicant to inform surrounding property owners about the proposed project and master plan, and provide neighbors an opportunity to ask questions of the applicant and discuss any potential concerns they may have about the project before rezoning is presented to the Planning Board and Board of Commissioners. The purpose of the neighborhood meeting is informational, and formal public meetings on the request with the Town's Planning Board and Board of Commissioners will occur later in the rezoning process.

I represent CC Investments, LLC, the applicant for the rezoning application described above. If you have any questions about this proposed rezoning, please contact me at 919-981-4006 or tjohnson@williamsmullen.com. Information about the Town of Wake Forest's rezoning process can be found at <https://www.wakeforestnc.gov/planning> and search "Rezoning Process", or by contacting Patrick Reidy with the Wake Forest Planning Department at 919-435-9515.

Sincerely,



Thomas H. Johnson, Jr.

Enclosures: vicinity maps (aerial image and current zoning)
conditional district master plan (site layout)

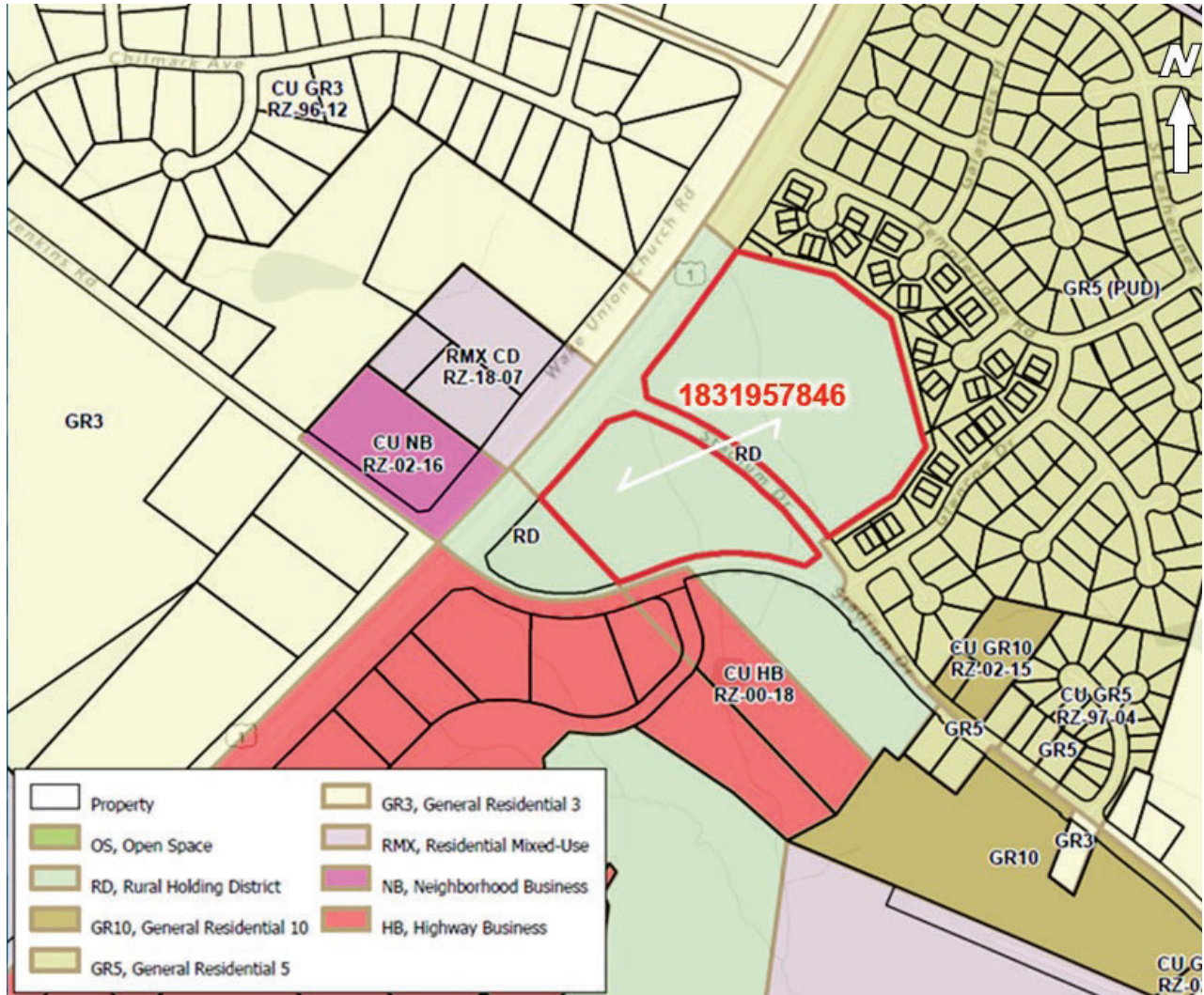
cc: Town of Wake Forest Planning Department

VICINITY MAP (WITH 2021 AERIAL IMAGE)



Parcel boundaries and 2021 aerial image source: Wake County GIS iMAPS

VICINITY MAP (WITH ZONING DISTRICTS)



Parcel boundaries, zoning map/information source: Wake County GIS iMAPS (2/27/23)

MAILING LIST - NEIGHBORHOOD MEETING NOTICE
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

OWNER	ADDR1	ADDR2	ADDR3
STAFFORDSHIRE HOMEOWNERS ASSOC INC	SENTRY MGMT INC	2180 W SR 434, STE 5000	LONGWOOD, FL 32779-5042
DICKERSON, LAWRENCE P	407 GALASHIELS PL	WAKE FOREST, NC 27587-8779	
SOWA, AUDREY	405 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
MAINSAIL INVESTMENTS	7401 LOUISBURG RD	RALEIGH, NC 27616-6454	
KEARNEY, GLORIA	990 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
CORRIVEAU, NANCY	407 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
HOWELL, BRIAN MITCHELL HOWELL, AMY KAREN	408 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
SRA WAKE FOREST LLC	5345 PINE TREE DR	MIAMI BEACH, FL 33140-2143	
VAUGHN, AMBER MARIE	337 GLENCOE DR	WAKE FOREST, NC 27587-8785	
CUNNINGHAM, MARTHA R HOWELL, ROSE C	304 GLENCOE DR	WAKE FOREST, NC 27587-9030	
WHITE, LISA A	955 TEMPLERIDGE RD	WAKE FOREST, NC 27587-6655	
ANDAL, JOCELYN	609 TORRY HILL CT	WAKE FOREST, NC 27587-2662	
RIGGINS, THERESA	400 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
STAFFORDSHIRE INC	C/O JAMES R ROGER III	875 WASHINGTON ST, STE B2	RALEIGH, NC 27605-3272
STATE EMPLOYEES CREDIT UNION	PO BOX 26807	RALEIGH, NC 27611-6807	
JOYNER, GINGER L	313 GLENCOE DR	WAKE FOREST, NC 27587-8785	
HEISTERBERG, JON F HEISTERBERG, BEVERLY A	7449 HEARTLAND DR	WAKE FOREST, NC 27587-5799	
EDELEN, RYAN CHRISTIE, ERICKA	512 GALASHIELS PL	WAKE FOREST, NC 27587-9022	
FLYNN, JAIMI DIANNE	205 GLENCOE DR	WAKE FOREST, NC 27587-8784	
BRIDGES, SARAH G	12737 WAKE UNION CHURCH RD	WAKE FOREST, NC 27587-9743	
SCOTT, SHANE LOUIS SCOTT, MIRELA	237 HAYWICKE PL	WAKE FOREST, NC 27587-9027	
WILL, JULIA ROSE	403 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
SHECKELLS, JESSICA M	956 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
WEINGARTEN/INVESTMENTS INC	KIMCO REALTY	500 N BROADWAY, STE 201	JERICHO, NY 11753-2122
SOUTHEASTERN BAPTIST THEO	PO BOX 1889	WAKE FOREST, NC 27588-1889	
FOZDAR, MANISH A FOZDAR, RITA M	1109 CHILMARK AVE	WAKE FOREST, NC 27587-5334	
SIMMONS, BEAULAH	406 GALASHIELS PL	WAKE FOREST, NC 27587-9001	
WOOSTER, EUGENE R WOOSTER, LOIS	406 GLENCOE DR	WAKE FOREST, NC 27587-9003	
ULIANO, KATHLEEN M	331 GLENCOE DR	WAKE FOREST, NC 27587-8785	
JAFFEE, IRA W JAFFEE, EVA E	994 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
HERES, TINA M	409 GLENCOE DR	WAKE FOREST, NC 27587-8786	
CHAMPAGNE, EDNA Y	407 GLENCOE DR	WAKE FOREST, NC 27587-8786	
REHMAN, BABAR REHMAN, AZIZ	942 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
SW CAPITAL LLC	12631 CAPITAL BLVD	WAKE FOREST, NC 27587-5359	
SPRINGER, RODGER D SPRINGER, LOUISE S	3815 HERITAGE SPRING CIR	WAKE FOREST, NC 27587-8376	
PACE, DONNA ROLLINS ROBERTS-BETSCH, LINDA ROLLINS	2804 KIMMON WAY	WAKE FOREST, NC 27587-5442	
WARREN, ROBERT E WARREN, GLORIA	321 GLENCOE DR	WAKE FOREST, NC 27587-8785	
ARMSTRONG, RICKY L ARMSTRONG, FRANCINE B	503 GALASHIELS PL	WAKE FOREST, NC 27587-8780	

MAILING LIST - NEIGHBORHOOD MEETING NOTICE
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

OWNER	ADDR1	ADDR2	ADDR3
PRIVOTT, WILLIAM THOMAS PRIVOTT, LINDA B	712 WELLINGHAM DR	DURHAM, NC 27713-7504	
VALENTINE, GARNELL L VALENTINE, NATTIKI W	7713 KENNINGTON MANOR LN	WAKE FOREST, NC 27587-3909	
DAVE, LANISHA	998 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
ROOSEN, ALEXANDER J. PUCKETT, DANA C.	504 GALASHIELS PL	WAKE FOREST, NC 27587-9022	
GRUBBS, ALTON B GRUBBS, ALLISON R	5812 LORD GRANVILLE WAY	ROLESVILLE, NC 27571-8766	
HARVEY, THOMAS E HARVEY, BEVERLY J	243 HAYWICKE PL	WAKE FOREST, NC 27587-9027	
LITTLE, DAVID H LITTLE, MARTHA W	PO BOX 90111	RALEIGH, NC 27675-0111	
MARCY, TINA KATHLEEN MARCY, GLEN THOMAS	340 GLENCOE DR	WAKE FOREST NC 27587-9030	
MARLOWE & MOYE LLC	PO BOX 20667	RALEIGH, NC 27619-0667	
BERGDOLT, HENRY F	1200 WATERGATE CT	RALEIGH, NC 27615-5473	
SOUTHEASTERN BAPTIST THEO	240 N WINGATE ST	WAKE FOREST, NC 27587-2343	
CARBALLA, RICHARD CARBALLA, KAREN	5241 WILDERNESS TRL	ROCKFORD, IL 61114-7022	
CRESCENT 1000 LLC CAPITAL 12520 LLC	100 CRESCENT GREEN, STE 101	CARY, NC 27518	
HATCH, ADAM DAVID HATCH, ERIN MCNALLY	334 GLENCOE DR	WAKE FOREST, NC 27587-9030	
KOLARSKY, ANTHONY L KOLARSKY, KATHLEEN A	312 GLENCOE DR	WAKE FOREST, NC 27587-9030	
CHUKWURAH, EDWIN C CHUKWURAH, CHINWE N N	882 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
HOLEMAN, ROBERT W HOLEMAN, LINDA C	880 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
DRAKE, SARAH A TRUSTEE	508 HILLANDALE DR	RALEIGH, NC 27609-7082	
BUTTERFLY HOLDINGS LLC E HUNT II LLC	1121 JENKINS RD	WAKE FOREST, NC 27587-9064	
PHAM-NGUYEN, ASHLEY T NGUYEN, TUAN	1233 KEITH RD	WAKE FOREST, NC 27587-7301	
ALFORD, WANDA JOY	886 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
NANCE-POOR, ROBERT STEPHEN	402 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
EDWARDS, FRANCES E WILMOTH, PATRICIA DEANNA	253 HAYWICKE PL	WAKE FOREST, NC 27587-9027	
TOLLENS, MARY	991 W DURNESS CT	WAKE FOREST, NC 27587-4919	
HELLMAN, AUDREY LAURA	945 E DURNESS CT	WAKE FOREST, NC 27587-4921	
FULLER, MARTIN SMITH, SUSAN	404 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
QUIZON, SAMANTHA ROSE	401 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
MATTHEWS, LEONARD C MATTHEWS, ANGELA H	1104 CHILMARK AVE	WAKE FOREST, NC 27587-5358	
WFDA PROPERTIES, LLC	207 ANNISTON CT	CARY, NC 27519-6821	
GRIFFIN, JERRY	400 GALASHIELS PL	WAKE FOREST, NC 27587-9001	
TALLENT, PAMELA FULLER TALLENT, JOHN MARK SR	999 W DURNESS CT	WAKE FOREST, NC 27587-4919	
RIPPLE, JAMIE G RIPPLE, KRISTIANNE F	320 GLENCOE DR	WAKE FOREST, NC 27587-9030	
HOWELL, WESLEY HOWELL, SUMMER	403 GALASHIELS PL	WAKE FOREST, NC 27587-8779	
CASTILLO, ANTONIO J RODRIGUEZ RODRIGUEZ, CLARET J ROJAS DE	323 GLENCOE DR	WAKE FOREST, NC 27587-8785	
RAY, TIFFINY	407 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
MCELHENNON, DERMOT F MCELHENNON, DREW	409 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
CALDWELL, CORAL CALDWELL, CHRISTOPHER	311 GLENCOE DR	WAKE FOREST, NC 27587-8785	
WILLIAMS, NADELLE S BURNS, DEBBIE S	1636 CARRIAGE DR	FRANKLINTON, NC 27525-7024	

MAILING LIST - NEIGHBORHOOD MEETING NOTICE
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

OWNER	ADDR1	ADDR2	ADDR3
FARRAND, NANCY	3413 SECRETARIAT WAY	RALEIGH, NC 27614-8370	
HARGROVE, JILL LYNN MAY, MARK W	409 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
HENDERSON, KAREN W HENDERSON, TIMOTHY L	1105 CHILMARK AVE	WAKE FOREST, NC 27587-5334	
SMITH, JOSEPH BRENT ODELL, ALYSSA GABRIELLA	408 GALASHIELS PL	WAKE FOREST, NC 27587-9001	
FILSINGER, DANIEL	409 GALASHIELS PL	WAKE FOREST, NC 27587-8779	
DITELLO, JANICE MARY	408 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
STANSBURY, JEANETTE D	401 GALASHIELS PL	WAKE FOREST, NC 27587-8779	
CANADY, LAWRENCE THOMAS CANADY, MARSHA F	231 HAYWICKE PL	WAKE FOREST, NC 27587-9027	
WHITLEY, DONNA	982 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
MACLAREN, ERICH	329 GLENCOE DR	WAKE FOREST, NC 27587-8785	
QUALLS, JEREMY B QUALLS, THOMAS	1100 CHILMARK AVE	WAKE FOREST, NC 27587-5358	
GONCALVES, JEANETTE ALVES	953 TEMPLERIDGE RD	WAKE FOREST, NC 27587-6655	
SIX FORKS INVESTMENT GROUP INC	8700 REINDEER MOSS DR	WAKE FOREST, NC 27587-4838	
ARAFAT, AHMED A ALDAGHMA, NAHLA L	402 GALASHIELS PL	WAKE FOREST, NC 27587-9001	
YARMOLIK, TATSIANA YARMOLIK, ANDREI	995 W DURNES CT	WAKE FOREST, NC 27587-4919	
SMITH, PATRICK EVAN	890 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
RAVINDRAN, URVI P RAVINDRAN, VEJAY K	8024 GHOST PONY TRL	RALEIGH, NC 27613-1721	
KLINGERMAN, KYLE KLINGERMAN, LAUREN SLAYTON	881 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
GRIFFIN, JAMES ALEXANDER	405 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
EYROLLES, KRAIG ANDREW	932 TEMPLERIDGE RD	WAKE FOREST, NC 27587-9006	
GOLDEN BEAR INVESTMENT GROUP LLC	1755 RIVER CLUB WAY	FRANKLINTON, NC 27525-7048	
HOWELL, ELIZABETH	400 KILMARNOCK CT	WAKE FOREST, NC 27587-9004	
BRUCE, GREGORY BRUCE, MELISSA	229 HAYWICKE PL	WAKE FOREST, NC 27587-9027	
REVRI, AYESHA	977 W DURNES CT	WAKE FOREST, NC 27587-4919	
CARRINGTON, YVETTE CARRINGTON, CRYSTAL	339 GLENCOE DR	WAKE FOREST, NC 27587-8785	
GARCIA, LAURA R GARCIA, MARCO S	406 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
NEAL, SARA L. BLACKWELL, GORDON L II	1101 CHILMARK AVE	WAKE FOREST, NC 27587-5334	
CHAVIS, CARSON EUGENE CHAVIS, CONNIE ANN	885 DROGHEDA PL	WAKE FOREST, NC 27587-9025	
EVANS, SARAH PAULETTE	203 GLENCOE DR	WAKE FOREST, NC 27587-8784	
SMITH, LINDA MARY SMITH, GARY JAY	983 W DURNES CT	WAKE FOREST, NC 27587-4919	
JIMENEZ, ARTURO G	403 SHANNONFORD CT	WAKE FOREST, NC 27587-9005	
IANUALE, JAMES DEAN IANUALE, ALEXA	3657 SLEEPY HOLLOW RD	WAKE FOREST, NC 27587-8300	

NEIGHBORHOOD MEETING SUMMARY
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

The neighborhood meeting was held on **March 14, 2023**, from **6:00 - 7:05 PM** at **Carson Hall (Room 101)** located at **101 N Wingate St., Wake Forest, NC**, on the Southeastern Baptist Theological Seminary Campus. Written notice of the meeting was mailed in accordance with the Town's notification requirements (see attached mailing list).

Applicant Team Members present:

Tyler Morris (Capitol Commercial, LLC)
Jason Stegall (CC Investments, LLC)
Tom Johnson (Williams Mullen)
David Lasley (Piedmont Land Design)
Lyle Overcash (Kimley-Horn)
Roberta Gunnels (Kimley-Horn)
Wayne Nicholas (Williams Mullen)

Attendees:

38 neighbors/residents attended meeting (see attached attendance roster)

Meeting began at 6:00 PM. Tom Johnson (TJ) introduced the project team and explained his professional experience and role on the team. Tyler Morris (TM) provided a brief background of his professional experience and described examples of similar types of projects the applicant has developed and he has worked on. He presented an overview of the proposed rezoning and showed copy of master plan included with application submittal. He described the proposed mixed-use development of multifamily dwellings with ground level commercial and retail with residences above in two of the buildings, and an office use on a separate parcel. He explained the building design, site layout including buffers and amenity areas, and future road network for the site including the planned NCDOT project for the Capital Boulevard/Stadium Drive intersection and its impact on the subject parcel.

The following summarizes the questions, comments and concerns (grouped below by topic) from attendees at the meeting, and the responses provided by the applicant team:

Traffic

Questions:

- How does development affect traffic in area?
- Expected traffic flow from development?
- What is planned for intersection at Capital Blvd and Jenkins Road?
- How does traffic enter the development?
- Will vehicles be able to take left turns off Capital Blvd to enter the development?
- Will development provide greater walkability to shopping in the area?
- Will proposed commercial space attract more traffic?
- How will apartment residents walk to shopping center on opposite side Stadium Drive?

Concerns:

- additional traffic on Capital Blvd. (mentioned by multiple attendees);
- proposed access road to Stadium Drive from development being across from access for existing shopping center on opposite side Stadium Drive;
- traffic by-passing main roads in area and using other roads;
- vehicles being able to make right turn out of Glencoe Drive onto Stadium Drive;
- length of traffic signal at Capital Blvd intersection;
- traffic in general in the area.

NEIGHBORHOOD MEETING SUMMARY
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

Applicant team responses:

The proposal follows the Town's Community Plan goals for development in this location. The applicant team explained a traffic impact analysis study (TIA) was prepared and submitted in accordance with the Town's requirements. They explained the study accounts for traffic from proposed development and other approved developments in the area, and looks at traffic flow on adjacent roads and to/from the proposed development. They described the roadway and traffic-related improvements the development will make to mitigate possible impacts. The applicant understands concern about traffic possibly by-passing main roads and using other local roads, and described the length and nature of routes that would be involved in by-passing the main roads. The applicant explained that the design does not allow for vehicles to turn left from Capital Blvd into the development. The applicant team explained the changes currently proposed by the NCDOT project for the intersection.

Environment

- What will happen to wildlife in area?
- General question about tree removal.
- How does stormwater for development get handled?
- Has sound study been done?
- Concern with removal of trees and possible increase in noise?

Applicant team responses:

The applicant team understands concern about wildlife and tree removal, and is required to comply with the Town's regulations in developing the site. They explained the project design is required to meet Town and other stormwater regulations, and review of a detailed stormwater design occurs during site plan review process and not rezoning. The applicant team explained a sound study is not typically required for this type of development, and added the Town has noise regulations that must be complied with.

Site Design/Layout

- Proximity of buildings to existing townhomes off Glencoe Drive?
- Are there buffers between apartment buildings and adjacent development?
- Suggestion that applicant look at buffer next to Staffordshire.
- Location of dumpster and number of locations in development?
- Concern with location of buildings on site.
- General question about parking for the development?
- What types of amenities will be provided for apartment residents?
- How is lighting in development addressed?
- Will apartments have balconies, and would they be facing internal to development or facing external? Concern about balconies facing adjacent properties.
- Can higher buffer be provided to help with sound?
- What can be done to prevent car from going through buffer to adjacent properties?

NEIGHBORHOOD MEETING SUMMARY
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

Applicant team responses:

TM and TJ showed the proposed plan and explained/described: the locations of buildings and buffers being provided; the building setbacks and vegetated buffers will comply with the Town's requirements; amenities being provided including open space areas, swimming pool with courtyard, and other amenity areas inside the building; the distance of proposed building to closest existing development is approximately 80–100 feet; the location of the proposed dumpster and the screening required by the Town in addition to the vegetated buffer between dumpster and adjacent property; the proposed design locates the more intense buildings containing mix of residential and commercial uses towards middle of development away from adjacent properties; the Town ordinance requires more than 600 parking spaces for the proposed development; the Town has regulations for lighting that require no spillover, and lighting will be reviewed with the site plan submittal.

Land Use

- What is the type/design of apartments?
- Will development include affordable housing?
- What type of office use is proposed?
- Concern about stores that sell cannabis products.

Applicant team responses:

The proposed development is apartments in multi-story buildings with units accessed by internal corridors. At this time affordable units are not proposed. The office parcel is intended for medical office use. The applicant understands the concern from neighbor about stores that sell cannabis products.

Other Questions/Comments

- What is the status of proposed development, is it already final?
- Have there been any Planning Board or Board of Commissioners meetings yet on this request?
- How do neighbor comments and concerns get mentioned?
- How do residents see summary of meeting from applicant?

Applicant team responses:

The applicant has submitted the rezoning application to the Town. The application has been through one review by staff so far. The Town requires a neighborhood meeting after the first staff review and before resubmitting. The request must still go through rezoning process including review and recommendation by the Planning Board at a meeting, and a public hearing and decision by the Board of Commissioners at a meeting. The meetings will occur later in the rezoning process. Notices of the meetings/hearing will be mailed to property owners and signs posted on the property in accordance with Town's requirements for notification. The applicant is required to provide the Town with a written summary of the neighborhood meeting which will be included in staff report. There will be opportunities for residents to speak at public hearing and meeting about the proposed rezoning.

- Can project be less dense and provide more open space?
- Proposed development seems similar to other developments.
- What could happen where the project does not end up moving forward?

NEIGHBORHOOD MEETING SUMMARY
STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)

Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

Applicant team responses:

The Town's long-range plan is for mixed-use development with higher density in this location. Changes in the economy, the request not being approved by the Town would affect the proposed development.

- How will proposed development affect property values?
- Concern about security from having more residents in area.
- Is seminary selling property? What about taxes?
- Who is the broker listing the seminary property?

Applicant team responses:

The applicant has an agreement to purchase the property. New development will generate additional tax revenue for the Town. The buildings will have secure access.

While concluding the meeting, TJ and TM thanked those in attendance for coming to meeting, asking questions, sharing feedback and engaging in discussion with the applicant team. TJ and TM encouraged neighbors to reach out to applicant with any additional questions during the process as it moves forward and provided their contact information.

Meeting concluded at 7:05 PM.

Neighborhood Meeting Attendance Roster
Tuesday, March 14, 2023 6:00 PM

Carson Hall, 101 N Wingate Street, Wake Forest, NC
 Proposed Rezoning – unaddressed property on Stadium Drive, Wake Forest (PIN: 1831957846)

Name	Address	Phone	Email Address
David Lacey (APPLICANT TEAM)	6522 204 Sycamore Rd Pawlet, VT	(919) 845-7600	
Joe Martinusar	920 ST CATHERINE DR WAKE FOREST	919.414.7103	
Jammi Flynn	805 Glenview Dr Wake Forest	435 214 0984	
Jesse Flynn	205 Wendover Dr	425 244 6984	
Elizabeth Powell	400 Kilmarnock Ct Wake Forest, NC	402-253-7028	
Coral Caldwell	311 Glenview Drive	757-567-7488	cmullen2013@gmail.com
Loris Woster Eugene	406 Glenview 702 St Catherine's	919-554-3278	
Christina Orosz	918 Temple Ridge Rd	908 251 7928	benobac913@gmail.com
Jade Shocks	956 Templeidge	715-404-9503	jaded8@gmail.com
Dale Zurevsky	808 St Catherine	651-686-3202	retrivingconnection@gmail.com
Christina Apple	320 Glenview Dr	(919) 601-1630	knipple@crossroadsps.org
Graig Johnson	Abasco Vie Rd	—	—

Neighborhood Meeting Attendance Roster

Tuesday, March 14, 2023 6:00 PM

Carson Hall, 101 N Wingate Street, Wake Forest, NC

Proposed Rezoning – unaddressed property on Stadium Drive, Wake Forest (PIN: 1831957846)

Name	Address	Phone	Email Address
Patrick Elliott	962 E. durness Ct	919-904 5240	Elliott.280@gmail.com
Kristen Elliott	962 E. durness Ct	919-412-9526	kristenelliott@gmail.com
Margaret P Watkins	402 Belmellen Ct.	919-426-3850	mpwatkins@alumni.peace.edu
Andreï Yarmolik	995 W Durness Ct	917-604-9745	andreï.yarmolik@gmail.com
TATSIANA Yarmolik	995 W Durness Ct	917-615-3808	latiandad@gmail.com
Francine Armstrong	503 Galashields Pl.	919-556-6946	farmstrong55@gmail.com
Catie Puckett	504 Galashields Pl		
Alex Rossen	" "		
Renee Shandlin	935 G. Catherine's Dr.	919-306-3690	momofcarni@yahoo.com
Renee Hamrick	925 St. Catherine's Dr.	336-213-5834	MATHEVANKER17@gmail.com
Najia Alvarado	710 St. Catherine's Dr	919-307-7551	najiaalvarado@gmail.com

Neighborhood Meeting Attendance Roster

Tuesday, March 14, 2023 6:00 PM

Carson Hall, 101 N Wingate Street, Wake Forest, NC

Proposed Rezoning – unaddressed property on Stadium Drive, Wake Forest (PIN: 1831957846)

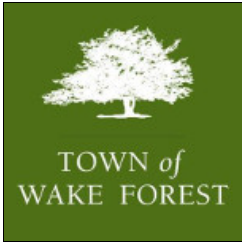
Name	Address	Phone	Email Address
Kathleen Uliano	331 Glenwood Dr	919-607-0861	KathleenUliano@yahoo.com
Birdie Holman	880 Dresheda Pl	919-554-4520	birdieholman@gmail.com
Buddy Holman	"	"	buddyholman@gmail.com
Paula Evans	203 Glenwood Dr	919-556-0756	evansp73@gmail.com
Matthew Barbisch	923 Templeville Rd		
Bill Andrews	1121 Jenkins Rd	919-368-8885	bandrease.entrustholdingsinc.com
Suzanne Richards	842 ST Catherine's, WF	919-671-4403	metechwriter@gmail.com
GENE LAMANDO	850 ST. CATHERINES DR	919-669-54K	
JEFF & MARY FORTUNATO	836 ST CATHERINES DR	910-228-9330	jfortunato@yahoo.com
Lisa Kennedy	714 St. Catherine's	919-671-8571	
Theresa Riggins	400 Shannanford Ct WF 31537	919-556-7514	
Joe Monck	813 St. Catherine's	919-569-2114	

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Proposed Rezoning – unaddressed property on Stadium Drive, Wake Forest (PIN: 1831957846)

Proposed Rezoning – unaddressed property on Stadium Drive, Wake Forest (PIN: 1831957846)

Page 4 of 4



Conditional District Rezoning Application

(Conditional District Rezoning Workflow)

Town of Wake Forest, NC

301 S. Brooks St.

Wake Forest, NC 27587-2932

TEL (919) 435-9510 | FAX (919) 435-9539

Project Overview

#942296

Project Title: Stadium Drive Mixed Use Conditional District Rezoning

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: Conditional District Rezoning

State: NC

Workflow: Conditional District Rezoning

County: Wake

Submittal Requirements

A submittal checklist is available to view additional documents which are required to be submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW CONDITIONAL DISTRICT REZONING SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will be not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist: Yes

Pre-Application Meeting

Has a pre-application conference been held?: Yes

*Note: This type of project requires a pre-application conference be completed prior to official submittal. If this has not been completed, please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.*

Pre-Application Conference Date: 11/16/2021

Staff Member Met With: Kari Grace

Pre-application Conference Project Number:

Address & Basic Site Information

Please Note:

In some cases, a parcel address may not verify. In the event that our system is unable to verify the address you enter, please submit the project as an *Unverified Parcel* and provide zoning and land use information as requested below. For verified addresses, the zoning and land use information will be added to the application automatically (you do not need to provide it below).

Project Address or PIN:

Tax PIN: 1831957846 (Unverified)

- 0 STADIUM DR (Unverified)

- 1831957846 (Unverified)

Acreage: 19.30

Name of Existing Development/Subdivision (if applicable--for reference only): Stadium Drive Apartments Rezoning

For unverified addresses/parcels only, please provide below 1) the current use of the parcel, 2) the zoning district(s) it is in, and 3) any overlay districts that apply. Reference the [zoning map](#) and the [overlay districts map](#) on the town's website.

Current Use & Zoning (required only if address/parcel is unverified):

*Note: Projects falling outside the limits of the Town or ETJ will be required to submit an annexation petition in conjunction with their project submittal. In this case, please return to the home screen and select **Annexation Petition** from the application type drop down.*

GIS Site Information (Automatically Generated - Not Available for Unverified Addresses)

Parcel Area:

Current Use:

Wake Forest (WF):

Planning and Zoning:

Base District:

In SH1-O Overlay:

In SH2-O Overlay:

In Water Supply Watershed Protection Overlay:

In TND Overlay:

In SF Overlay:

In HL-O Overlay:

In MVCP-O Overlay:

In National Register of Historic Places:

In Flood Hazard Area:

Additional Zoning Information

Currently a Conditional District?: No

Currently a Conditional Use?: No

Is there an existing Special Use Permit for the Property?: No **Case Number of related site plan (if applicable):**

Case Numbers of other related approvals (if applicable):
none

Project Contacts

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Tom Johnson
Williams Mullen
301 Fayetteville Street, 1700
Raleigh, NC 27601
P:919-981-4006
tjohnson@williamsmullen.com

Project Contact - Developer

Tyler Morris
Capitol Commercial, LLC
PO BOX 6247
Raleigh, NC 27628
P:1-252-722-9312
tmorris@ccrdu.com

Project Contact - Traffic Engineer

Project Contact - Property Owner

Southeastern Baptist Theological Seminary, Inc.
240 N Wingate Street
Wake Forest, NC 27587
P:123-456-7890
xxxx.xxxx@xxxx.com

Project Contact - Engineer

David Lasley
Piedmont Land Design, LLP
8522-204 Six Forks Road
Raleigh, NC 27615
P:919-845-7600
david@piedmontlanddesign.com

Project Contact - Attorney

Lyle Overcash
Kimley-Horn
421 Fayetteville Street, 600
Raleigh, NC 27601
P:919-677-2000
Lyle.Overcash@kimley-horn.com

Tom Johnson
Williams Mullen
301 Fayetteville Street, 1700
Raleigh, NC 27601
P:919.981.4006
tjohnson@williamsmullen.com

Transportation Impact Analysis

As per Section 6.11.1 of the UDO is the project required to provide a Traffic Impact Analysis (TIA)? Yes

Was the TIA reviewed in a separate permit prior to this application? No

Project Number:

For projects requiring a TIA, a separate TIA application must be submitted in conjunction with this application. Please review the [TIA submittal checklist](#) and submit a **Transportation Impact Analysis Review** application in IDT.

- i** If the request is to a Conditional District (CD), this application should be accompanied by a master plan that includes land use, existing conditions, buildings, lots, etc. per Chapter 15 of the UDO. In addition, please provide a narrative of the proposed use and list any proposed conditions.

Proposed Conditional Zoning District: NMX-CD,
Neighborhood Mixed-Use

Proposed Land Use:

Multifamily, mixed use (multifamily and retail/commercial), and medical office

Proposed Number of Lots: 2

Number of Buildings: 6

Number of Single-Family Lots: 0

Number of Townhome Lots: 0

Number of Multi-Family Units: 307

Number of Stories: 4

Square Footage of All Buildings (non-residential): 39428

Plan Information - Conditional Rezoning

Description of Request:

Rezoning of entire property and area within adjacent Stadium Drive right-of-way to Neighborhood Mixed-Use Conditional (NMX-CD). A separate petition to close the subject portion of Stadium Drive has been submitted to the Town in conjunction with this rezoning request. The rezoning proposes a variety of use types including a stand-alone building for medical office use, mixed-use buildings with multifamily dwellings above ground level commercial/retail uses, buildings with only multifamily dwellings, and associated amenity areas for residents.

Initial Proposed Conditions Offered by Applicant:

1. The conditional district master plan approved as part of this rezoning request shall be a condition of this NMX-CD zoning district. Amendments to the approved master plan shall require a rezoning amendment unless the administrator finds the modification to be minor and in keeping with the spirit and intent of the adopted master plan. Minor amendments include but are not limited to moving buildings, updating parking layout, realignment of the private street network and adjusting building square footages within the limits of the TIA. Total building square footage and number of buildings could decrease, if necessary.
2. All development will comply with requirements of the Town of Wake Forest Unified Development Ordinance (UDO) unless expressly stated as an exception and will comply with the approved master plan in accordance with Condition 1.
3. The following uses shall be permitted within this NMX-CD zoning district in accordance with the UDO and this master plan, and may be subject to additional use standards (see UDO) uses followed by (SUP) require approval of a special use permit; uses followed by (A) denote allowed as accessory use; uses followed

by (s) denote use allowed subject to supplemental use standards contained in UDO:

RESIDENTIAL: Multifamily Dwellings (s)

OFFICE/SERVICE: ATM; Bank, Credit Union, Financial Services; Business Support Services; Dry Cleaning & Laundry Services; Medical Clinic; Personal Services; Professional Services; Home Occupation (A)(s)

COMMERCIAL/ENTERTAINMENT: General Commercial; Bar/Tavern; Restaurant; Outdoor Seating (A)(s)

CIVIC: Public Safety Station; Recreation Facility, Indoor

AGRICULTURE: Garden (Community and Private); Produce Stand (s)

INFRASTRUCTURE: Wireless Telecommunications Facility, Non-Tower (s); Wireless Telecommunications Facility, Tower (SUP) (s); Utilities Class 1; UtilitiesClass 2

OTHER: Temporary Uses (See UDO Section 4.7 for Specific Provisions)

Justification of Consistency with Comprehensive Plan:

The rezoning request is consistent with multiple goals, objectives and recommendations of the Comprehensive Plan. The property is adjacent to Capital Boulevard, shown on the Land Use Plan within the Corridor Commercial designation and also shown within an Activity Center. The rezoning proposes both a vertical and horizontal mix of uses including multifamily dwellings with some units above ground level commercial/retail uses, and a stand-alone building for medical office use. The residential use with ground floor commercial/retail uses provides an active pedestrian-scale environment with a mix of uses, connectivity and amenity areas for residents, aligning with the Activity Center guidelines. The rezoning is consistent with objectives of the Land Use and Development Growth Strategy being an infill development with a design and mix of uses that provides more housing choices and commercial opportunities on land already within Town limits. Development proposed by this rezoning furthers key recommendations in the Plan, including promoting multi-story structures within commercial corridor areas with residential above commercial uses and encouraging pedestrian-oriented shopping environments. Design of the proposed development incorporates future NCDOT plans for Capital Boulevard in this location, furthering another key recommendation of the Plan. Overall, the mix of uses and site design proposed by this rezoning is consistent with several Plan goals, including: balancing the mix of uses; providing diverse housing opportunities; supporting a pedestrian-friendly community; supporting strategic growth; and supporting unique, thriving businesses.

WILLIAMS MULLEN

Direct Dial: 919.981.4006
tjohnson@williamsmullen.com

October 31, 2023

VIA E-MAIL

Patrick Reidy, AICP, CZO
Senior Planner - Development Services
Town of Wake Forest
301 S. Brooks Street
Wake Forest, NC 27587

RE: ZONING CONDITIONS Stadium Drive Mixed Use Conditional District Rezoning (RZ-23-02/SP-23-04); Unaddressed Property on Stadium Drive, Wake Forest (Wake County PIN: 1831957846)

Dear Patrick:

Please accept this letter as our agreement to the below conditions:

- 1.) The conditional district master plan SP-23-04 approved as part of this rezoning request shall be a condition of this NMX-CD zoning district. Amendments to the approved master plan shall require a rezoning amendment unless the administrator finds the modification to be minor and in keeping with the spirit and intent of the adopted master plan. Minor amendments include, but are not limited to, moving buildings, updating parking layout, realignment of the private street network and adjusting building square footages within the limits of the TIA. Total building square footage and number of buildings could decrease, if necessary.
- 2.) All development will comply with requirements of the Town of Wake Forest Unified Development Ordinance (UDO) unless expressly stated as an exception and will comply with the approved master plan in accordance with Condition 1.
- 3.) The following uses shall be permitted within this NMX-CD zoning district in accordance with the UDO and this master plan, and may be subject to additional use standards (see UDO) – uses followed by “(SUP)” require approval of a special use permit; uses followed by “(A)” denote allowed as accessory use; uses followed by “(s)” denote use allowed subject to supplemental use standards contained in UDO:

RESIDENTIAL: Multifamily Dwellings (s)

OFFICE/SERVICE: ATM; Bank, Credit Union, Financial Services; Business Support Services; Dry Cleaning & Laundry Services; Medical Clinic; Personal Services; Professional Services; Home Occupation (A)(s)

COMMERCIAL/ENTERTAINMENT: General Commercial (EXCEPT any business in which the primary/principal use or activity is the retail sales of vaping and/or CBD products is prohibited); Bar/Tavern; Restaurant; Outdoor Seating (A)(s); Open Air Retail (s)

CIVIC: Public Safety Station; Recreation Facility, Indoor

AGRICULTURE: Garden (Community and Private); Produce Stand (s)

INFRASTRUCTURE: Wireless Telecommunications Facility, Non-Tower (s); Wireless Telecommunications Facility, Tower (SUP)(s); Utilities – Class 1; Utilities – Class 2

OTHER: Temporary Uses (See UDO Section 4.7 for Specific Provisions)

- 4.) Building heights shall be limited to a maximum of four (4) stories plus a basement.
- 5.) As part of the rezoning, modifications to UDO standards/requirements are granted as follows:
 - a) Modification to the number of parking spaces required by the UDO: for multi-family residential use to allow parking at a ratio of 1.52 spaces per unit.
 - b) Modification to UDO 9.3 regarding parking locations to allow parking to be located as shown on the approved plan.
 - c) Each of Buildings 1-5 shall be a maximum of 40 feet from the back of curb of the parking lot in the front of each building.
 - d) Modification to allow the required number of parking spaces for retail use and shown on the plan to include restaurant and bar uses based on the integrated mix of uses on the site that facilitates patronage of the non-residential space by residents within the development that can walk to these establishments.
 - e) Modification to the minimum frontage buildout (UDO 2.2.3.D) to allow: minimum frontage buildout of 35.1% for Lot 1 along frontage of built and future NCDOT right-of-way (street A); and minimum of 25.4% for Lot 2 along frontage of built and future NCDOT right-of-way (street A).
 - f) Modification of the required setbacks from a major access corridor in the SHO district to allow: a minimum building setback of 25 feet for Building 6 (Lot 2); a minimum parking setback of 24 feet for a portion of the parking area on Lot 2; and a minimum building setback of 48 feet for Building 2 (Lot 1) for a portion of the building.
 - g) Modification of the required street bufferyard in the SHO district to allow a minimum average width of 20 feet along US Hwy 1 and a minimum average width of 20 feet along Street A.

- 6.) Improvements recommended by the Traffic Impact Analysis (as approved by NCDOT and Town of Wake Forest) shall be constructed as per final requirements and timing. Any NCDOT driveway permits, encroachment permits and/or control of access permits will have to be obtained by the applicant from NCDOT and any conditions imposed by NCDOT will have to be met by the Applicant. Amavi is obligated to complete superstreet improvements on US 1/Capitol Blvd. related to its development approved in project number RZ-22-07 ("Superstreet Improvements"). In the event that Amavi does not complete the Superstreet Improvements, Applicant will pay a fee in lieu in the amount of 3% of the cost of the Superstreet Improvements based upon Applicant's traffic impact related to the Superstreet Improvements.
- 7.) The vertically mixed-use buildings shall each contain a minimum of 8,000 square feet of non-residential use space inclusive of incidental areas (hallways, storage and/or mechanical equipment space). To more effectively respond to evolving market conditions and better facilitate accommodating the needs of residents within this development and the community, no minimum amount of retail use as defined in the UDO is required within the non-residential square footage of the mixed-use buildings.
- 8.) EV charging stations will be provided in the development at a rate of two (2) per building with locations and details to be determined and shown on the construction drawings submitted for review of this development.
- 9.) In an effort to create continuity for the entire project, a common building material shall be provided on the site plan submitted for review of this development that is used in all phases of the development. The material could be used in a variety of ways including, but not limited to: landscaping walls, signage, building materials, accent materials, etc. Providing a minimum of one element for each phase shall satisfy this condition, but the developer may choose to provide the material in multiple facets if desired.
- 10.) Prior to issuance of the first building permit for the multifamily buildings, supplemental plantings if necessary will be installed in the perimeter buffer adjacent to existing residential development. Since the perimeter buffer incorporates existing vegetation, Town staff may, at the request of the applicant, defer installation of supplemental plantings to a later date if staff determines at the time of issuing each building permit that existing vegetation in the vicinity of the respective building functions consistent with screening requirements.
- 11.) Developer shall purchase and install a public art feature of a type, design and location as approved in consultation with Town Staff and the Town's Public Art Commission and will be shown on the approved construction drawings. Public Art shall be a combination of murals, sculptures, or interactive installations for a minimum commitment of \$50,000.
- 12.) A minimum of six outdoor seating/benches will be provided in the active park space behind Building 2, along pedestrian plazas, and adjacent to sidewalks and/or other area within the development where practical and appropriate subject to site development

constraints, with locations and details to be determined at the time of construction drawing review for this development.

- 13.) In the retail area between Buildings 1 and 2, Developer will construct the sidewalks of stamped concrete or paver stones, the crosswalks of stamped asphalt or decorative art crosswalks and will provide decorative lighting, all to be finally determined on the construction plans.
- 14.) A thirty-foot (30') buffer shall be provided adjacent to the shared property lines with Staffordshire Inc. and Sarah A. Drake, Trustee Drake Family Trust, as shown on the plan approved as part of rezoning RZ-23-02/SP-23-04.
- 15.) No balconies or patios shall be allowed on the north facing facade of Building 4 and the south and east facing facades of Building 5.
- 16.) As part of construction drawing review for this development, the applicant will work with the appropriate staff to identify potential mutually acceptable location of a bus shelter within the existing right-of-way adjacent to Stadium Drive near Glencoe Drive.
- 17.) Developer will provide a crosswalk at the intersection of Street A as shown on the Master Plan and the Stadium Drive entrance to Wake Forest Crossing Shopping Center, subject to approval by NCDOT.

Agreed and consented to by:



Thomas H. Johnson, Jr.
Attorney for Capitol Commercial, LLC

TOWN OF WAKE FOREST

AGENT AUTHORIZATION FORM:

Application #: RZ-23-02/SP-23-04 Submittal Date: _____

Southeastern Baptist Theological Seminary, Inc. is the owner of the property for which the attached application is being submitted:

- ☒ General Use Rezoning or Conditional District Rezoning
- ☒ Site Master Plan
- ☐ Subdivision Master Plan
- ☐ Construction Drawings
- ☐ Variance
- ☐ Major Architectural Review

0 Stadium Drive, Wake Forest, NC 27587; Wake Co. PIN: 1831957846

The property is located at: (NE quadrant of Capital Blvd. and Stadium Dr. intersection)

The agent for this project is: Thomas H. Johnson, Jr. (Williams Mullen)

☐ I am the owner of the property and will be acting as my own agent.

Name: Thomas H. Johnson, Jr. - attorney (Williams Mullen)

Address: 301 Fayetteville Street, Suite 1700, Raleigh, NC 27601

Telephone Number: 919.981.4006 Fax: _____

Email Address: tjohnson@williamsmullen.com

Signature(s) of Owner(s):

SOUTHEASTERN BAPTIST THEOLOGICAL
SEMINARY INC. BY: [Signature], EVP

Print or type name(s):

Southeastern Baptist Theological Seminary, Inc.

BY: KAU R. HUTCHINSON, EVP

Attach additional sheets if there are additional owners.

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**

TOWN OF WAKE FOREST

AGENT AUTHORIZATION FORM:

Application #: RZ-23-02/SP-23-04

Submittal Date: _____

Southeastern Baptist Theological Seminary, Inc. is the owner of the property for which the attached application is being submitted:

- ☒ General Use Rezoning or Conditional District Rezoning
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- ☐ Variance
- ☐ Major Architectural Review

0 Stadium Drive, Wake Forest, NC 27587; Wake Co. PIN 1831957846

The property is located at: (NE quadrant of Capital Blvd. and Stadium Dr. intersection)

The ^{applicant} agent for this project is: CC Investments, LLC (Jason Stegall)

☐ I am the owner of the property and will be acting as my own agent.

Name: CC Investments, LLC (Jason Stegall)

Address: PO BOX 6247; Raleigh, NC 27628

Telephone Number: 252-722-9312 Fax: _____

Email Address: _____

Signature(s) of Owner(s):



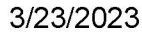
Print or type name(s):

Southeastern Baptist Theological Seminary, Inc.

Attach additional sheets if there are additional owners.

*Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Last update: August 2018



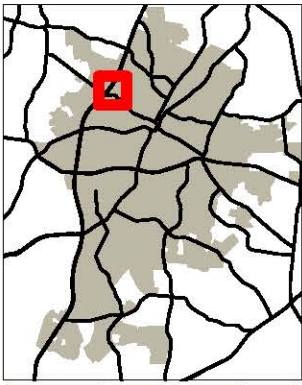
TOWN of
WAKE FOREST

RZ-23-02
Stadium Drive
Mixed Use Conditional District Rezoning



Please note that this map is intended for illustrative purposes only. For specific inquiries regarding zoning boundaries, contact the Town Wake Forest Planning Department at 919-435-9510.

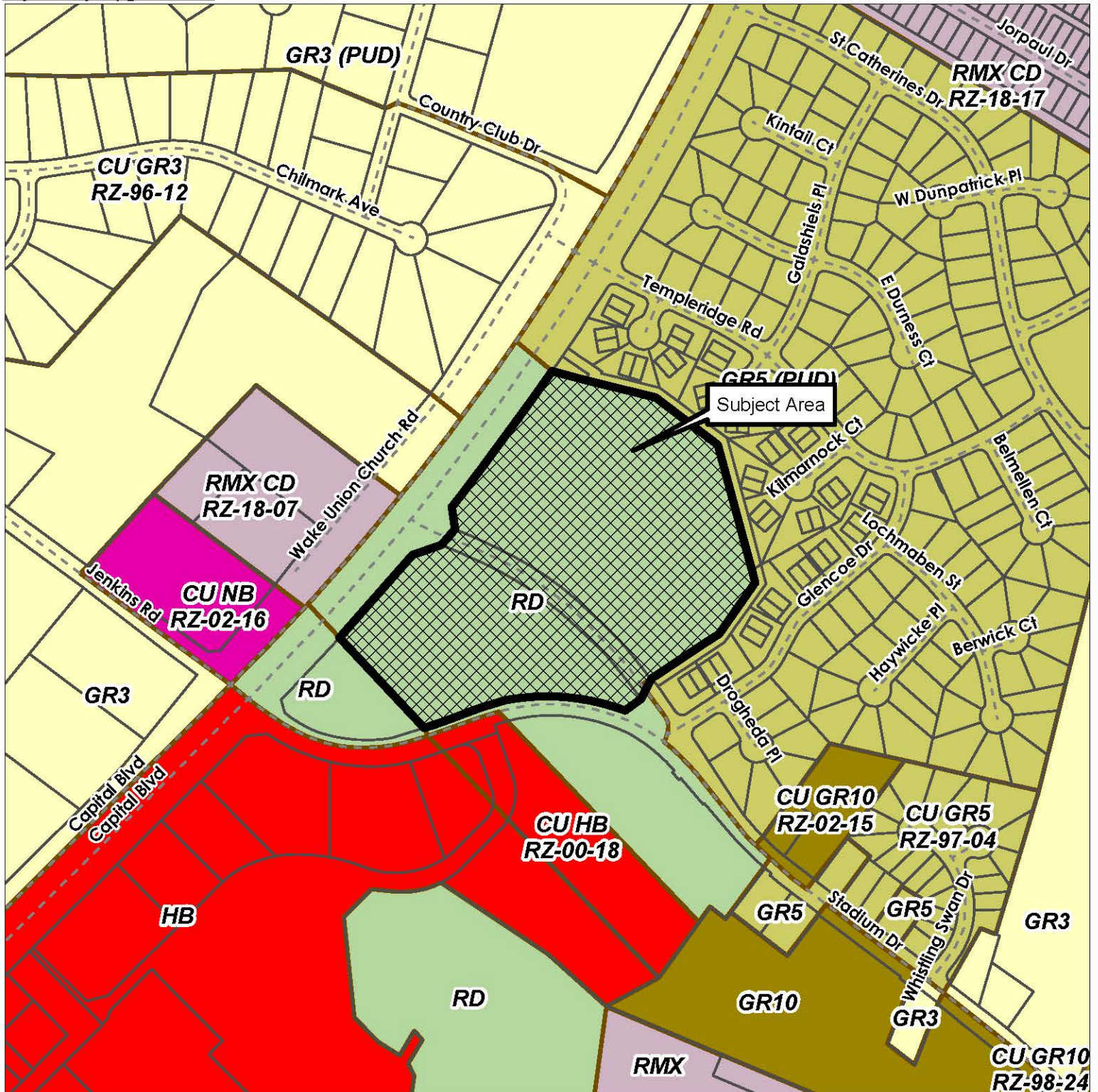




TOWN of
WAKE FOREST

RZ-23-02 Stadium Drive Mixed Use Conditional District Rezoning

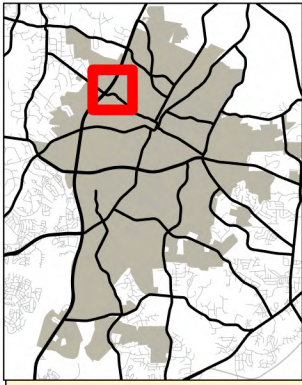
3/23/2023



Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 Feet





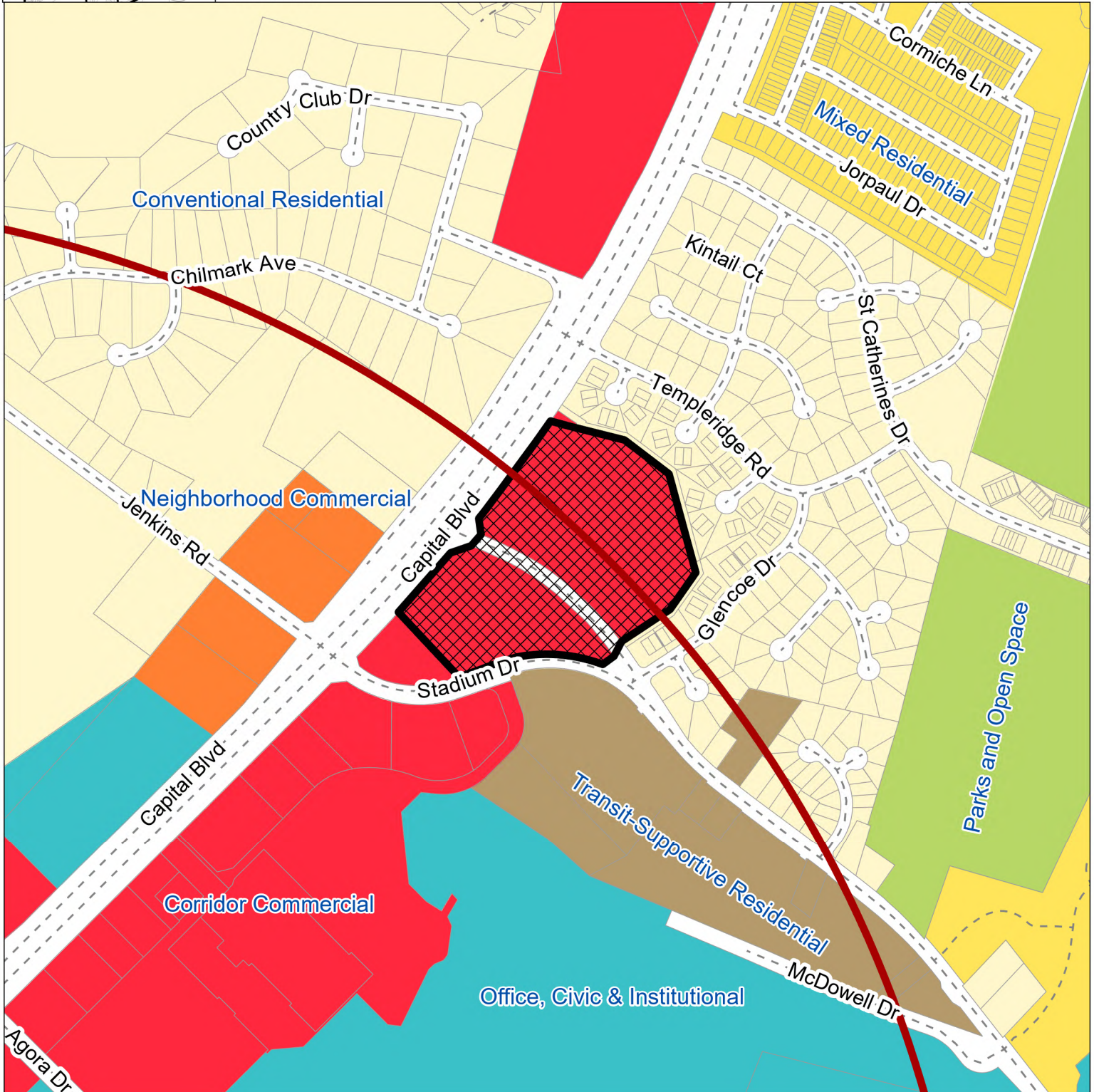
Land Use Plan



TOWN of
WAKE FOREST

RZ-23-02 Stadium Drive Mixed Use Conditional District Rezoning

10/9/2023



Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 2,000 US Feet





TOWN of WAKE FOREST

Report Requirements:

Per NCGS 160D-604, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Board of Commissioners within 30 days of referral of the amendment to the Planning Board, or the Board of Commissioners may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Board of Commissioners bound by the recommendations, if any, of the Planning Board.

Per NCGS 160D-604, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Board of Commissioners.

GENERAL INFORMATION

Applicant: Williams Mullen

Owner: Southeastern Baptist Theological Seminary, Inc.

Requested Action: Rezone 19.30 acres on the Town of Wake Forest Zoning Map from Rural Holding District (RD) and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD) and Special Highway Overlay (SH1-O)

Existing Zoning: Rural Holding District (RD) and Special Highway Overlay (SH1-O)

Location: 0 Stadium Dr

Size: 19.30 acres

Tax PINs: 1831957846

Existing Land Use: Vacant

Applicable Officially Adopted Plans:

The request is generally consistent with the relevant policies in the Comprehensive Plan, and approval of the zoning map request is reasonable and in the public interest. See Attachment.

This report reflects the recommendation of the Planning Board, this the 10th day of October 2023.

Introduced by Planning Board member: Michael Almquist

Seconded by Planning Board member: Michael Hickey

Attest:

Karin Kuropas, Planning Board Chair


Courtney Tanner, Planning Director

Planning Board Report to Board of Commissioners

Community Plan Consistency Grid: RZ 23-02				
	POLICIES FOR AFFORDABLE HOUSING		YES	NO
	AH-1	Implement Affordable Housing Plan		
	POLICIES FOR RESIDENTIAL CHARACTER		YES	NO
	RC-1	Encourage single-family attached and multifamily development to incorporate varied building frontages and rooflines, front porches, front yards, and balconies to provide visual interest and complement the scale and character of surrounding single-family neighborhoods		
	RC-2	Setbacks of infill development should match the existing context as much as possible as uniform setbacks can help foster a pedestrian-friendly environment		
	RC-3	Promote higher density infill and redevelopment within older established neighborhoods to provide greater housing choices while matching the scale and character of existing properties		
	RC-4	Promote higher density housing along key corridors and surrounding activity centers. This includes near areas designated in the Land Use Plan as Commercial Corridor; Neighborhood Commercial; Light Industrial; and Office, Civic, and Institutional		
	RC-5	For larger scale planned subdivisions that provide a mix of housing types, work with private developers to locate lower density housing near existing single-family detached neighborhoods to create appropriate transitions and preserve the character of established neighborhoods		
	RC-6	Consider requiring a minimum percentage of housing types in new neighborhood developments to increase housing diversity and affordability (e.g. at least 20% duplexes/townhomes)		
	RC-7	Review and update the UDO to align with residential character recommendations within this Community Plan		
	POLICIES FOR SENIOR HOUSING		YES	NO
	SH-1	Promote senior housing within a quarter mile of transit stops, Downtown, shopping areas, parks, and recreational facilities		
	SH-2	Encourage smaller lot, single-story housing types for seniors that are ADA accessible		
	SH-3	Encourage age-targeted cooperative housing types for community-oriented senior living, such as co-housing and cottage home courts		
	SH-4	Promote the development of continuing care retirement communities (CCRC), or life plan communities, which offer distinct types of housing and care levels based on a senior's needs		
	SH-5	Encourage developers of age-targeted housing to include amenities attractive to seniors, such as front porches, back patios, walking paths, and outdoor sports facilities, and activated gathering spaces		

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR COMMERCIAL DEVELOPMENT			YES	NO	NA
CD-1	Enhance established commercial areas by incentivizing redevelopment and/or renovation of existing businesses.				
CD-2	Support small, local businesses within commercial centers to support unique shopping options within Wake Forest				
CD-3	Establish architectural design standards for commercial building facades that promote quality design while allowing for flexibility that encourages creative design				
CD-4	Promote multi-story structures within Commercial Corridor and Neighborhood Commercial areas at appropriate scales that offer residential or office above ground-floor commercial				
CD-5	Encourage pedestrian-oriented shopping environments with sidewalks, attractive storefronts, and buildings facing each other to create a sense of enclosure				
CD-6	Encourage the incorporation of pedestrian/bicyclist/transit-oriented areas in large-scale shopping centers that provide outdoor seating and gathering areas, bicycle parking stations, and access to transit services				
CD-7	Promote cross-access and pedestrian pathways between adjacent parking lots and leading to buildings to promote well-connected, cohesive shopping areas				
CD-8	Encourage the consolidation of commercial driveways onto major streets to reduce traffic conflicts				
CD-9	Require "360 degree architecture" (high quality architecture on all sides of the building as opposed to just the front-facing façade), including well-designed or screened service areas				
CD-10	Encourage businesses to replace existing, non-conforming signage with attractive signage that meets Town standards				
CD-11	Promote outparcel development to improve the character along primary roadways and break up views of large parking lots				
CD-12	Review and update the UDO, including the US 1 Special Highway Overlay (SH1-O) and Dr Calvin Jones Highway Overlay (SH2-O) districts, to align with commercial development recommendations within this Community Plan				
CD-13	Support accessory commercial units (ACUs) that allow the ground floor of residential properties or an accessory structure facing the street to contain a commercial use beneficial to the surrounding neighborhood				
CD-14	Establish block standards for commercial areas to break up large tracts into more human scale pieces with streets or street-like features within the development				
POLICIES FOR MINORITY & WOMEN-OWNED BUSINESSES			YES	NO	NA
MWOB-1	Work with organizations, such as the Chamber and the Black Business Alliance, to expand diversity, equity, and inclusion programs that are supported with grassroots community engagement				
MWOB-2	Explore successful programs for supporting minority and women-owned businesses in surrounding communities to implement in Wake Forest				
MWOB-3	Explore regional, state, and federal grants available for minority and women businesses, such as grants from the National Institute of Economic Development and Carolina Community Impact				
MWOB-4	Support informational sessions and/or provide educational resources to employers on how they can establish equitable work environments and policies within their businesses				
POLICIES FOR SETBACKS			YES	NO	NA
SB-1	Incentivize businesses to situate new buildings at or near the property line to improve walkability, such as by requiring more landscaping if parking lots are located in front of buildings rather than to the rear/side				
SB-2	Promote consistency in setbacks within commercial and residential areas to form desirable continuity in the streetwall, or the facades of buildings facing the street				
SB-3	Encourage outparcel development with 360 architecture to "hold the corner" of commercial corridor development				
SB-4	Ensure adequate setbacks of industrial or other high intensity uses to reduce potential sound or visual impacts on adjacent lower intensity uses				
SB-5	Allow for flexibly in setbacks in Downtown where existing conditions prevent a consistent streetwall, while maintaining a close interface with the street (e.g., utility, landscaping, and/or topography challenges)				
POLICIES FOR PARKING LOTS			YES	NO	NA
PL-1	For existing front-loaded surface parking lots, encourage property owners to improve their character with perimeter and interior landscaping, and/or decorative walls and fencing				

Community Plan Consistency Grid: RZ 23-02					
PL-2	Require off-street parking to be located to the side or rear of the primary building				
PL-3	Encourage shared parking agreements where neighboring uses with different peak parking demand times can use the same parking lot, reducing the need for additional parking lots				
PL-4	Reevaluate minimum parking standards and consider implementing maximum parking standards to reduce excessive requirements				
PL-5	Monitor parking supply and strategically encourage structured or underground parking in higher density areas if needed, such as in Downtown, TOD, and activity center areas, to reduce the amount of land dedicated to surface parking				
PL-6	Consider offering incentives for structured parking, such as density bonuses, allowable lot coverage increases, and height limit increases.				
PL-7	Encourage the integration of structured parking into multifamily buildings to minimize surface parking lots				
PL-8	Encourage North Carolina Department of Environmental Quality's (NCDEQ) Stormwater Nitrogen and Phosphorus (SNAP) nutrient-reducing practices, such as permeable surfaces, that allow water infiltration in parking lots to improve stormwater drainage and water quality				
PL-9	Encourage the provision of pedestrian walkways in parking lots to enhance connectivity and safety to businesses				
POLICIES FOR SCREENING & BUFFERING			YES	NO	NA
SB-1	Ensure sufficient screening and buffering of industrial and commercial uses next to residential uses to minimize potential adverse impacts, such as in the Unicon Drive area				
SB-2	Encourage new development to preserve existing wooded areas along the perimeter of sites to provide natural buffering				
SB-3	Encourage screening of utility, loading, outdoor storage, and trash disposal areas that are visible from the right-of-way and adjacent development				
SB-4	Promote the use of setbacks for walls and fences that allow for plantings between the property line and the right-of-way and adjacent development				

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR COMMUNITY CHARACTER			YES	NO	NA
CC-1	Preserve vistas and view corridors that contribute to the economic and aesthetic value of Wake Forest, such as the church steeple at Southeastern Baptist Theological Seminary, S White Street in Downtown, and N Main Street in the Wake Forest Local Historic District				
CC-2	Curate public outdoor spaces for important monuments and artworks to showcase them as anchors and entry points to neighborhoods				
CC-3	Leverage historic structures, events, and people to create a sense of place through placemaking and branding				
CC-4	Ensure new development is contextual to the existing character of the area in terms of scale, massing, setback, fenestration, and design features (porches, storefronts, etc.)				
CC-5	Encourage developers to incorporate landscaping to beautify neighborhoods and commercial areas, such as landscaped medians and roundabouts.				
CC-6	Incorporate landscaping and gateway features into public rights-of-way, such as landscaped streetscapes, green infrastructure, and public promenades				
CC-7	Emphasize quality development along highly visible thoroughfares in the Town to reinforce its positive image				
CC-8	In accordance with the Land Use Plan, ensure incompatible, high intensity uses are directed away from low intensity residential areas				
CC-9	Continue to provide quality municipal services for the maintenance and upkeep of neighborhoods, such as street cleaning, snow removal, and trash disposal services				
CC-10	Work with NCDOT to identify areas for roadway enhancements				
CC-11	Refer to the Public Art Vision Plan for guidance when public art is being proposed in private development				
CC-12	Work with developers to improve the character of retaining walls, such as by incorporating public art or tiering the walls to reduce their visual impact				
POLICIES FOR UTILITY LINES			YES	NO	NA
UL-1	Create a master plan for burying utility lines with community involvement to identify priority areas for conversion				
UL-2	Ensure major Town entrances and gateway corridors and highly visible, pedestrian-oriented areas are prioritized for conversion				
UL-3	Consider trenching utilities as capital improvements are made in the right-of-way for all areas of the Town				
UL-4	Investigate partnering with private developers to install conduit for fiber and/or burying utility lines in priority conversion areas				
UL-5	Explore partnerships with private developers for boring and burying additional conduit along main roadways				
UL-6	Consider and install conduit with greenway project construction.				

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR HISTORIC PRESERVATION		YES	NO	NA
	HP-1	Work with the Historic Preservation Commission (HPC) and the Planning Department to continue to implement the 2019 Historic Property Handbook and Design Standards and continue to preserve existing and new historic landmarks			
	HP-2	Continue to enforce the Historic Preservation Ordinance for the Wake Forest Local Historic District and local historic landmarks			
	HP-3	Promote State and Federal Tax Incentives for qualified rehabilitation projects for properties listed individually or as contributing historic properties in the National Register of Historic Places			
	HP-4	Ensure development surrounding and within historic districts is sensitive to the historic context of the neighborhood			
	HP-5	Encourage adaptive reuse, restoration, and repurposing of historic structures to preserve Wake Forest's history			
	HP-6	Continue to enforce the Demolition of Historic Structures Ordinance for the protection of all historic properties in Wake Forest			
	HP-7	Investigate the adoption of new local historic districts or character historic overlay districts to preserve Wake Forest's historic character			
	POLICIES FOR COMMUNITY FACILITIES		YES	NO	NA
	CF-1	Expand Town facilities concurrently with new growth			
	CF-2	Annually review the Town's Work Management Plan, Staffing, and Budget section to reflect current needs and priorities			
	CF-3	Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to identify strategies to close gaps in park service areas, such as west of Capital Boulevard and the southern and eastern portion of Town			
	CF-4	Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to expand equity in the quality of public park facilities and programming			
	CF-5	Explore green infrastructure options that also beautify spaces, like bioswales and planters			
	CF-6	Continue to work with regional educational entities to provide support as they seek new facility locations or expansion with growth			
	CF-7	Coordinate with regional educational entities to ensure increased equity in educational facilities across the community			
	CF-8	Coordinate with the Police and Fire Departments to ensure response times are sufficient for all areas of town with growth			
	CF-9	Consider emerging best practices for community safety, such as mental health crisis response teams			
	CF-10	Promote and incorporate sustainable building practices into community facilities, setting a precedent for private developers to implement			
	CF-11	Coordinate with regional healthcare providers to explore opportunities to locate a full service hospital or regional medical facilities in the Town			
	CF-12	Evaluate existing streets and explore UDO updates to address traffic congestion, traffic speed, reduce collisions, and improve safety conditions for all modes of transportation			
	CF-13	Regularly update the Town Pavement Management System program			

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR PUBLIC TRANSIT		YES	NO	NA
	PT-1	Continue to work with transit partners to consider more frequent service and route network expansions to key locations to improve rider experience and attract more usage of mass transit			
	PT-2	Coordinate with property owners, private developers, and transit partners to set aside land for transit stops at appropriate locations. The Town should obtain a transit easement for these locations and construct and maintain quality bus shelter infrastructure			
	PT-3	Work with GoRaleigh and GoTriangle to construct smart bus shelters, or sustainable shelters that incorporate elements like interactive screens with live timetables, smart lighting, solar panels, and bike lock stations			
	PT-4	Explore incorporating public art into bus shelters			
	PT-5	Continue to evaluate and coordinate Park and Ride locations with transit partners			
	PT-6	Explore best long term transit options such as fixed or microtransit			
	POLICIES FOR CAPITAL BOULEVARD		YES	NO	NA
	CB-1	Continue to work closely with NCDOT to implement the project and promote commercial growth in accordance with the Land Use Plan			
	CB-2	Continue advocating for improvements along the corridor to assist in improving the quality of life for Wake Forest residents, businesses, and property owners			
	POLICIES FOR STREET CONNECTIVITY		YES	NO	NA
	SC-1	Promote short blocks of less than 600 linear feet between intersections of local roads to improve walkability			
	SC-2	Avoid dead-ends, cul-de-sacs, and T-intersections in places where four-way intersections can be aligned			
	SC-3	Study the appropriateness of traffic circles at four-way intersections to ease congestion and improve safety			
	POLICIES FOR SIDEWALKS & MULTI-USE PATHS		YES	NO	NA
	SP-1	Update the CTP to include an inventory of sidewalks in addition to multi-use paths and establish project priorities, private-public funding, and time frames for closing gaps in the network			
	SP-2	Update the CTP to identify priority areas for high visibility crosswalks, bulb outs, refuge islands, rectangular rapid flashing beacons, and other pedestrian improvements			
	SP-3	Work with Public Works to identify crosswalk ramps that are not ADA compliant and prioritize upgrades			
	SP-4	In coordination with roadway improvements, upgrade aging sidewalks or install new sidewalks if none exist			
	SP-5	Promote sidewalk, multi-use path, or trail connectivity between residential subdivisions and nonresidential development to improve pedestrian and bicycle connectivity			
	SP-6	Continue to ensure all new residential development provides sidewalks on both sides of the street			
	SP-7	Encourage multi-use paths to be provided along the main road in developments			
	SP-8	Ensure multifamily and commercial developments include strong pedestrian networks within and between their sites			

Community Plan Consistency Grid: RZ 23-02					
	POLICIES FOR BIKEWAYS, GREENWAYS & TRAILS		YES	NO	NA
	BGT-1	Identify trail head locations as the greenway and trail network continues to expand			
	BGT-2	Explore opportunities along greenways to add amenities (i.e. water fountains, seating /rest areas, pocket parks, public art, and fix it stations) and programming with the Parks, Recreation, and Cultural Resources Department or other organizations like StoryWalks			
	BGT-3	Encourage development along greenways to incorporate greenway access into the site, particularly for uses attractive to trail users (i.e. restaurant, cafes, and bars)			
	POLICIES FOR LOCAL FOOD SYSTEMS		YES	NO	NA
	LFS-1	Continue to support the Northern Community Food Security Team and together explore other locations for community food hubs within the Town			
	LFS-2	Partner with local food cooperatives and regional food networks, such as the Capital Area Food Network, to address food insecurity in the community			
	LFS-3	Encourage regenerative practices, such as use of organic fertilizers, crop rotation, and crop variation for healthy soil			
	LFS-4	Conduct a meal gap survey to better assess the immediate and long term needs in the community			
	LFS-5	Evaluate the economic impact of local food systems in the community to encourage localized marketplaces for food producers			
	LFS-6	Explore updates to the UDO that would promote urban agriculture and repurposing of vacant or underutilized lots for such uses			
	POLICIES FOR CONSERVATION DESIGN		YES	NO	NA
	CD-1	Encourage conservation design in the UDO's subdivision development regulations, particularly for areas within watershed protection areas			
	CD-2	Explore incentives for promoting conservation design, such as density bonuses to allow for comparable number of housing units but greater preserved green space within the site			
	CD-3	Encourage developers to enhance preserved green spaces as accessible amenities for residents, such as trails and outdoor seating			
	POLICIES FOR GREEN SPACE PRESERVATION		YES	NO	NA
	GSP-1	Prioritize higher density redevelopment and infill development within already developed areas to avoid premature development in long term growth areas and reduce greenfield development			
	GSP-2	Work with private developers to preserve significant natural assets within sites, such as streams, steep slopes, unique geological formations, wetlands, and mature stands of trees, which can be incorporated as development amenities			
	GSP-3	Continue to identify and strategically acquire environmentally sensitive land to preserve as dedicated conservation areas and publicly accessible open space			
	GSP-4	Explore incentives to promote conservation design in future development, such as density bonuses, to promote clusters of taller structures that preserve natural areas of the site			
	GSP-5	Explore strategies to further promote green space preservation within the updated UDO, such as increasing set aside requirements, and evaluate what is credited as open space			
	GSP-6	Explore strategies to further protect wildlife and environmentally sensitive areas in the UDO			

Community Plan Consistency Grid: RZ 23-02					
POLICIES FOR TREE CANOPY			YES	NO	NA
TC-1	Continue to support the Town in administering the Urban Forestry Program and planting, preserving, and maintaining trees on public properties and rights-of-way				
TC-2	Explore updates to the UDO that could further promote tree preservation and replacement in new developments				
TC-3	Review existing incentives and consider additional incentives for private developers to promote tree preservation above what is required by the UDO				
TC-4	Explore ways to increase the number of trees required in parking lots during the update to the UDO, such as requiring an island every 20 parking spaces or decreasing the minimum distance a parking space can be from a tree				
TC-5	Ensure public and private tree plantings and xeriscaping are made up of native plant species that are adapted to local environmental conditions and require less irrigation				
TC-6	Coordinate efforts to influence State regulations related to the expansion of tree preservation standards				
POLICIES FOR SUSTAINABLE DEVELOPMENT			YES	NO	NA
SD-1	Encourage private developers to incorporate green building, LID, and green infrastructure practices in future developments				
SD-2	Incorporate green infrastructure into public streetscapes, prioritizing pedestrian-oriented areas like Downtown, TOD, and Neighborhood Commercial areas				
SD-3	Continue to incorporate sustainable design best practices into Town-owned infrastructure and community facilities, striving to incorporate LEED practices into future facilities				
SD-4	Use the Environmental Protection Agency's (EPA) "Revising Local Codes to Facilitate Low Impact Development" guide to help identify regulations within the UDO that discourage LID practices				
SD-5	Evaluate potential rainwater collection programs and composting programs				
SD-6	Explore an incentive program to encourage development to provide stormwater when lots are exempt from stormwater requirements				
SD-7	Update the Manual of Specifications, Standards and Design to reference green infrastructure design				
SD-8	Explore decommissioned rights-of-way as potential stormwater routes				
SD-9	Support the use of attractive, safe, and sustainable street furniture and infrastructure, such as solar streetlights, and LED traffic lights				
SD-10	Expand the electric vehicle (EV) charging network by requiring the installation of charging stations, or the infrastructure needed to accommodate future charging stations, in all new parking lots, especially parking lots of multifamily and large scale developments, and increasing supply of public charging stations				
SD-11	Promote adaptive reuse over redevelopment for structures that are structurally sound, feature desirable built form, and/or are historically significant. This includes creating an online inventory of buildings available for adaptive reuse				
SD-12	Investigate developing a solar energy ordinance and enrolling in the SolSmart program, a national designation program funded by the US Department of Energy charged with making solar power faster, easier, and more affordable				
SD-13	Explore ways to incentivize renewable energy and passive solar design in the Town's development standards. SolSmart's Solar Energy Toolkit can be used as resource for better promoting solar panels within the code				
SD-14	Continue partnership with Raleigh to encourage homeowners to incorporate practices for water conservation				
POLICIES FOR TOURISM			YES	NO	NA
T-1	Grow the Town's art community and reputation as a regional arts destination with a Downtown focus				

Community Plan Consistency Grid: RZ 23-02					
T-2	Explore the potential of constructing a recreational destination facility with a regional draw				
T-3	Develop annual Tourism Economic Impact Reports to help quantify progress made in Wake Forest's tourism sector and identify trends, issues, and opportunities that can help Town staff prioritize future investments				
T-4	Support the Wake Forest Area Chamber to create and market a local visitor's center as a public resource hub for the Town's attractions, events, and businesses for visitors				
T-5	Leverage Wake County's Room Occupancy Tax to build, finance, and create new establishments or run events related to tourism, allowing the Town to capitalize on its success in drawing hotel occupants				
T-6	Create a community-wide wayfinding plan to improve sense of place and signage that directs visitors and residents to Town destinations				
T-7	Continue to support Wake Forest Downtown Inc. (a Main Street America accredited program) in meeting the National Accreditation Standards of Performance as outlined by the National Main Street Center				
T-8	Continue to participate in the NC Main to Main Trail program, a network that connects the State's Main Street America communities, and leverage this designation in the Town's marketing strategy				
T-9	Investigate hiring consultants to provide a comprehensive evaluation of Town events and provide recommendations for improved programs				
T-10	Explore the creation of a social district, where customers can carry and consume food and drinks purchased from businesses outside in a designated zone				
POLICIES FOR GATEWAYS			YES	NO	NA
GW-1	Create a Gateway Plan to identify and prioritize sites for gateway features and establish design standards. Ensure the Plan works in synergy with the Town's Wayfinding Plan.				
GW-2	Improve roadway infrastructure along key gateway routes to enhance their character and multimodal connectivity.				
POLICIES FOR DOWNTOWN WAKE FOREST			YES	NO	NA
DWF-1	Evaluate existing zoning regulations around density in appropriate locations to balance Downtown's development potential with preserving its historic character				
DWF-2	Identify strategies to fill vacant buildings Downtown that promote an entrepreneurial and small-business culture				
DWF-3	Identify strategies to attract families and younger populations to Downtown with inviting public spaces, entertainment, and destinations for all ages				
DWF-4	Provide guidelines for how buildings should be orientated to support pedestrian-friendly environments				
DWF-5	Reassess parking demand and supply with consideration for a new parking garage(s) to minimize surface parking lots				
DWF-6	Identify strategies to create an "experience-based" Downtown retail environment with unique local businesses and a pedestrian-oriented environment				
DWF-7	Reassess strategies to improve gateways and wayfinding to and within Downtown to better direct people and create a distinct sense of place				
DWF-8	Identify opportunities for Downtown events and public gathering spaces to bring the community together, such as live outdoor events and festivals				



Traffic Impact Analysis

Stadium Drive Mixed-Use

Wake Forest, NC

Prepared for:
Capitol Commercial, LLC.

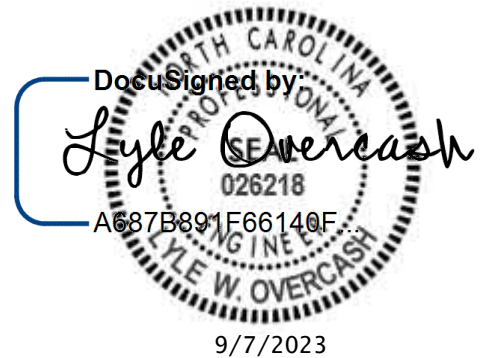
Kimley»Horn

Traffic Impact Analysis for
Stadium Drive Mixed-Use
Wake Forest, North Carolina

Prepared for:
Capitol Commercial, LLC
Raleigh, NC

Prepared by:
Kimley-Horn and Associates, Inc.
NC License #F-0102
421 Fayetteville Street, Suite 600
Raleigh, NC 27601
(919) 677-2000

September 2023
014418001



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Executive Summary

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis (TIA) for the proposed Stadium Drive Mixed-Use project located along US 1 (Capital Boulevard). This project site is located in the northeast quadrant of the intersection of US 1 and Jenkins Road/Stadium Drive.

The proposed development is currently expected to consist of approximately 350 mid-rise apartments, 25,000 square feet (SF) of medical office space, and 20,000 SF of retail space. The development is expected to be completed in 2025. The mixed-use development is proposed to be accessed by a right-in, right-out driveway (Old Stadium Drive) on US 1 and a full movement driveway on Stadium Drive that will connect with the existing Shopping Center Driveway south of the future site. In addition, there will be multiple internal site driveways along the realigned Old Stadium Drive.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands in conjunction with the development. The traffic conditions studied include the existing (2022) traffic condition, the projected (2025) background traffic condition, and the projected (2025) build-out traffic condition.

As shown in [Table ES-1](#), the project is projected to generate 2,864 new daily trips, 236 new trips during the AM peak hour, and 302 new trips during the PM peak hour on a typical weekday.

Table ES-1								
ITE Traffic Generation (Vehicles)								
Land Use Code	Land Use	Intensity		Daily	AM Peak Hour		PM Peak Hour	
					In	Out	In	Out
221	Multifamily Housing (Mid-Rise)	350	d.u.	1,624	33	109	84	54
720	Medical Office Building	25,000	s.f.	966	55	14	30	69
822	Retail	20,000	s.f.	1,074	27	18	64	63
Subtotal				3,664	115	141	178	186
Internal Capture				800	10	10	31	31
Total Net New External Trips				2,864	105	131	147	155

Capacity analyses were performed using Synchro software. [Table ES-2](#) summarizes the operation of the study intersections for the AM and PM peak hour traffic conditions.

Table ES-2 - Level of Service Summary

Intersection and Approach/Movement	Traffic Control	Existing (2022) Traffic		Background (2025) Traffic		Build-out (2025) Traffic	
		AM	PM	AM	PM	AM	PM
US 1 at Jenkins Road/Stadium Drive	Signalized	D (54.9)	D (46.9)	N/A		N/A	
Northbound Overall		N/A		A (9.6)	B (18.8)	B (10.9)	C (22.3)
Southbound Overall		N/A		D (40.5)	B (18.3)	D (47.3)	B (19.9)
US 1 (Capital Boulevard) at Northern U-Turn	Signalized	N/A		D (39.4)	C (26.7)	D (49.4)	D (35.2)
US 1 (Capital Boulevard) at Southern U-Turn	Signalized	N/A		B (14.9)	C (32.1)	B (15.7)	D (38.3)
US 1 (Capital Boulevard) at Old Stadium Drive	Unsignalized	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Westbound		B (13.6)	C (18.9)	C (15.1)	C (22.6)	C (15.6)	C (24.9)
US 1 at Country Club Drive/Templeridge Road	Unsignalized	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Eastbound		E (49.0)	F (57.3)	F (69.3)	F (74.1)	F (70.4)	F (78.2)
Westbound		E (40.1)	F (62.2)	F (60.5)	F (96.5)	F (62.2)	F (101.2)
Northbound Left		C (17.8)	C (15.1)	C (22.3)	C (17.9)	C (22.7)	C (18.3)
Southbound Left		B (12.4)	C (17.8)	B (13.9)	C (22.0)	B (14.0)	C (22.5)
Stadium Drive at Shopping Center Driveway/Old Stadium Drive	Unsignalized	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Northbound		B (11.3)	B (12.9)	C (15.8)	C (22.5)	D (28.0)	F (111.1)
Southbound		N/A	N/A	N/A	N/A	C (21.9)	D (28.3)
Eastbound Left		N/A	N/A	N/A	N/A	A (8.6)	A (8.2)
Westbound Left		A (8.0)	A (8.4)	A (8.5)	A (8.6)	A (8.5)	A (8.8)
Stadium Drive at Glencoe Drive	Unsignalized	- (-)	- (-)	- (-)	- (-)	- (-)	- (-)
Southbound		B (13.3)	B (12.1)	C (18.3)	B (14.5)	C (18.9)	C (15.3)
Eastbound Left		A (8.1)	A (8.1)	A (8.5)	A (8.5)	A (8.6)	A (8.6)
Glencoe Drive at Old Stadium Drive	Unsignalized	- (-)	- (-)	- (-)	- (-)	N/A	N/A
Eastbound		A (9.1)	A (8.9)	A (9.1)	A (9.0)		
Northbound Left		A (7.5)	A (7.5)	A (7.5)	A (7.5)		
Old Stadium Drive at Medical Driveway 1	Unsignalized	N/A	N/A	N/A	N/A	- (-)	- (-)
Northbound						A (8.8)	A (8.7)
Westbound Left						A (7.3)	A (7.3)
Old Stadium Drive at Stadium Drive/Site Driveway 1	Unsignalized	N/A	N/A	N/A	N/A	A (7.5)	A (7.3)
Eastbound						A (7.1)	A (7.0)
Westbound						A (7.6)	A (7.5)
Northbound						A (7.5)	A (7.3)
Old Stadium Drive at Medical Driveway 2/Site Driveway 2	Unsignalized	N/A	N/A	N/A	N/A	- (-)	- (-)
Eastbound						A (9.7)	A (9.0)
Westbound						B (10.3)	B (10.4)
Northbound Left						A (7.4)	A (7.3)
Southbound Left						A (7.3)	A (7.4)

NCDOT STIP U-5307D Project

Planning and development is underway on the NCDOT State Transportation Improvement Program (STIP) U-5307 project to convert US 1 (Capital Boulevard) to a controlled-access facility from I-540 in Raleigh to Purnell Road/Harris Road in Wake Forest. This project is intended to improve traffic congestion and reduce travel times along US 1. A controlled-access highway is one on which access is provided only via ramps at interchanges. Some cross-streets will be grade-separated, and no driveway connections will be allowed on US 1.

The “D” portion of the U-5307 project plans to realign Stadium Drive and reconfigure the US 1 at Jenkins Road/Stadium Drive intersection, creating an overpass, however, this segment is not funded. As part of the U-5307D preliminary design, a collector road (Y26B) was proposed that originally bisected the project site roughly in half, leaving some odd remnant parcels adjacent to US 1, see attached schematic. In addition, the original Y26B alignment would have likely been more expensive due to ROW acquisition driven by fill slopes.

In coordination with NCDOT and their STIP project consultant, Kimley-Horn prepared several options to realign Y26B while not affecting the overall alignment of the Stadium Drive overpass over US 1. Option B was selected as the preferred alternative, it is attached to this document, along with an interim design to accommodate the connection to Stadium Drive prior to U-5307D being constructed. Option B slid the collector road more towards US 1 and left a more developable area for the Stadium Drive Mixed-Use development site.

Through extensive coordination with NCDOT, the site plan was modified to accommodate the interim and future alignment of the Y26B collector road. Shaded portions of the site plan denote reserved areas for possible future NCDOT ROW. It is anticipated that NCDOT will incorporate this design in the U-5307D plans once this segment moves forward with funding.

Background Improvements

The following background improvements are to be performed with the Horse Creek Amavi development:

US 1 at Jenkins Road/Stadium Drive:

- Convert the intersection to a reduced conflict intersection (RCI) with side streets restricted to right turns only
- Provide a new exclusive eastbound right-turn lane with approximately 500 feet of storage and appropriate taper length
- Stripe the eastbound approach of Jenkins Road to provide dual right turn lanes
- Restripe the westbound approach of Stadium Drive to provide dual right turn lanes

- Extend the existing northbound left-turn lane on US Highway 1 to provide a minimum of 450 feet of storage plus appropriate deceleration and taper length
- Modify the existing traffic signal to accommodate the new configuration and coordinate the signal with the new U-turn intersections

US 1 at Northern U-Turn:

- Construct a new northbound U-turn lane on US Highway 1 with a minimum of 425 feet of storage and appropriate deceleration and taper
- Construct a bulb out on US Highway 1 to accommodate U-turning vehicles
- Install a traffic signal at the intersection with wooden poles and coordinate the new traffic signal with the intersection at US Highway 1 and Jenkins Road/Stadium Drive

US 1 at Southern U-Turn:

- Construct a new southbound U-turn lane on US Highway 1 with a minimum of 425 feet of storage and appropriate deceleration and taper. Depending on the exact location of the new U-turn, it may be ideal to start the taper for the southbound U-turn lane at/near the intersection with Jenkins Road
- Construct a bulb out on US Highway 1 to accommodate U-turning vehicles
- Install a traffic signal at the intersection with wooden poles and coordinate the new traffic signal with the intersection at US Highway 1 and Jenkins Road/Stadium Drive

Recommendations

The following improvements are recommended to be performed with the Stadium Drive Mixed-Use development to accommodate projected site traffic volumes:

Old Stadium Drive:

- Realign Old Stadium Drive to intersect Stadium Drive at the existing intersection of Stadium Drive and the Wake Forest Crossing Shopping Center northern driveway instead of Glencoe Drive. This realignment is consistent with the plans for the Y26 Service Road as part of NCDOT STIP U-5307D
- Realigned Old Stadium Drive (future Y26 collector road) should be constructed as a 3-lane section to provide left-turn lanes at the site driveways

Stadium Drive at Shopping Center Driveway/Old Stadium Drive:

- Restripe eastbound Stadium Drive to provide a left-turn lane with 100 feet of storage
- Construct a westbound right-turn lane with 100 feet of storage on Stadium Drive
- Construct the southbound approach with a through-right-turn lane and a left-turn lane that extends back into a TWLTL towards the intersection of Stadium Drive at Medical Driveway 2/Site Driveway 2.
- Restripe the northbound Shopping Center Driveway approach to add a through movement to the northbound right-turn lane

Old Stadium Drive at Medical Driveway 1:

- Construct the full-movement Medical Driveway 1 with one ingress and one egress lane

Old Stadium Drive at Site Driveway 1:

- Construct the full-movement Site Driveway 1 with one ingress and one egress lane
- Construct the northbound approach with a right-turn lane and a left-turn lane that extends back into a two-way left-turn lane (TWLTL) towards the intersection of Old Stadium Drive at Medical Driveway 2/Site Driveway 2
- Construct the eastbound approach with one through-right lane
- Implement all-way stop control

Old Stadium Drive at Medical Driveway 2/Site Driveway 2:

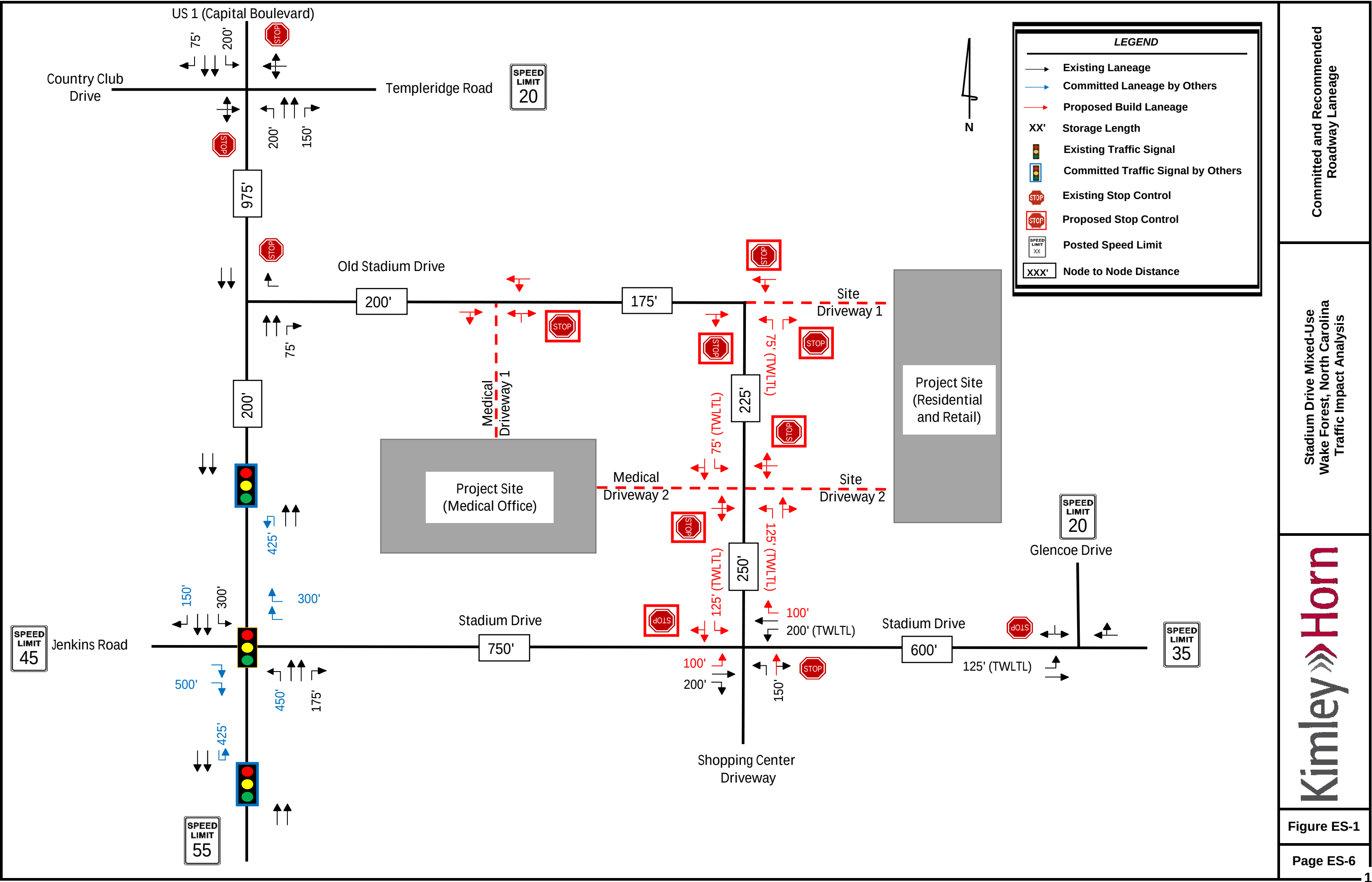
- Construct the full-movement Medical Driveway 2 with one ingress and one egress lane
- Construct the full-movement Site Driveway 2 with one ingress and one egress lane.
- Construct a northbound left-turn lane that extends back into a TWLTL towards the intersection of Stadium Drive at Shopping Center Driveway/Old Stadium Drive

Analyses indicate that all signalized intersections are expected to operate acceptable with the RCI background improvement.

Analyses also indicate that most of the unsignalized study intersections are expected to operate with short or moderate delays on minor street approaches at project build-out with the exception of the unsignalized intersections of US 1 (Capital Boulevard) at Country Club Drive/Templeridge Road. However, it is typical for stop sign controlled side streets and driveways intersecting major streets to experience long delays during peak hours, while the majority of the traffic moving through the intersection on the major street experiences little or no delay.

At the unsignalized intersection of Stadium Drive and the Shopping Center Driveway/Stadium Drive, the northbound minor street approach (Shopping Center Driveway) is expected to operate with increased delays in the PM peak hour in the study year 2025 with the proposed Stadium Drive Mixed-Use development in place. However, no queueing issues are expected at this intersection and no roadway improvements are recommended to be performed for the northbound approach of intersection to accommodate projected site traffic.

Figure ES-1 shows the recommended roadway laneage.





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

Roy Cooper
Governor

J. Eric Boyette
Secretary

September 21, 2023

Stadium Drive Mixed-Use

Traffic Impact Analysis Review Report Congestion Management Section

TIA Project: SC-2023-022R1
Division: 5
County: Wake



Nicholas C. Lineberger, P.E. Regional Engineer
Madonna Saleh, Design Engineer

Stadium Drive Mixed-Use

SC-2023-022R1

Wake Forest

Wake County

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	09/18/23	Date of Site Plan	08/30/23
Date of Complete Information	09/18/23	Date of Sealed TIA	09/07/23

Proposed Development

The TIA assumes the development is completed by 2025 and consists of the following:

Land Use	Land Use Code	Size
Multifamily Housing (Mid-Rise)	221	350 d.u.
Medical-Dental Office Building - Stand Alone	720	25,000 sq.ft.
Strip Retail Plaza (<40k)	822	20,000 sq.ft.

Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	115	141	256
PM Peak Hour	178	186	364
Daily Trips			3,664

General Reference

For reference to various documents applicable to this review please reference the following link: <https://connect.ncdot.gov/resources/safety/Pages/Congestion-Management.aspx>

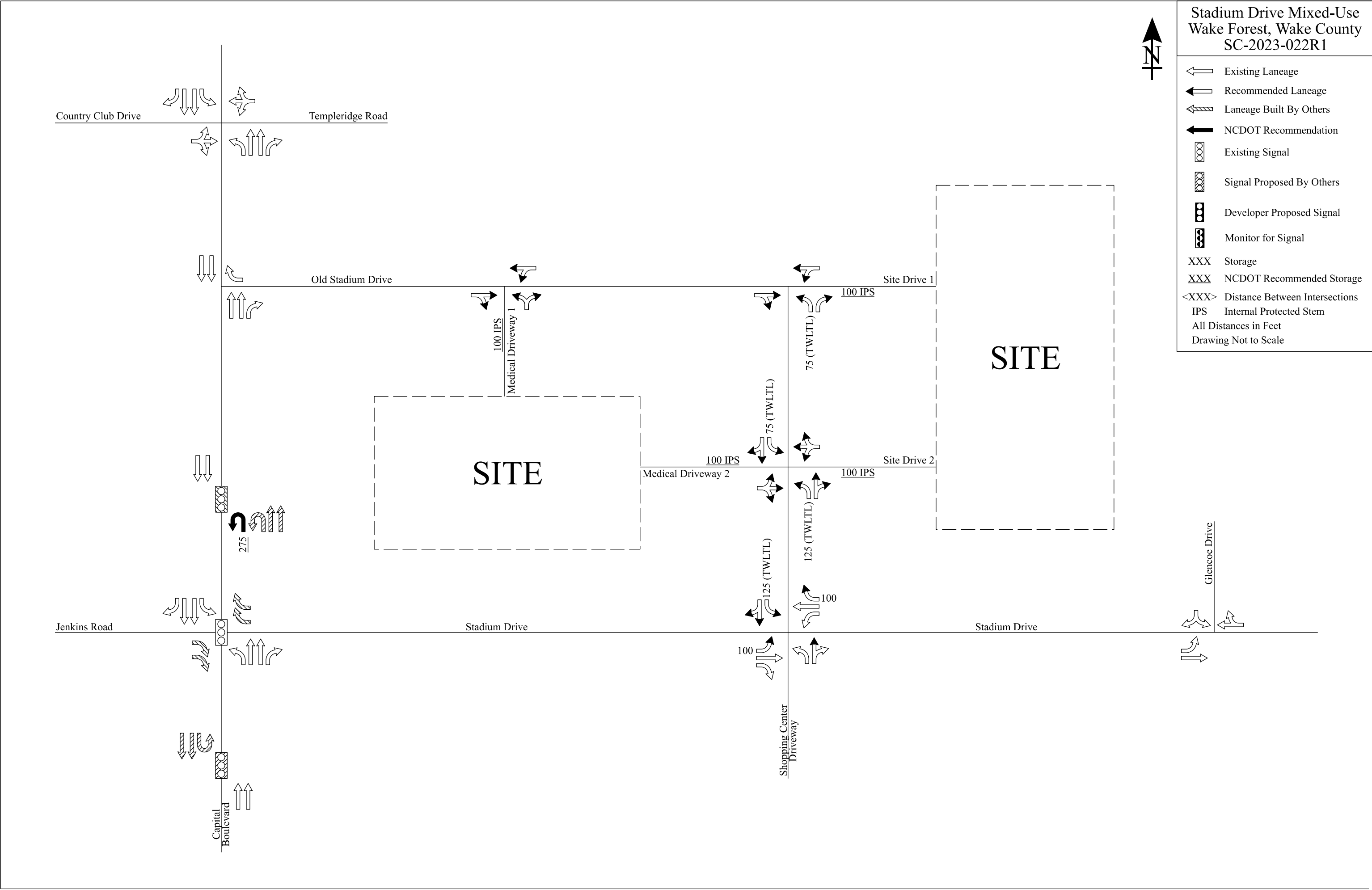
Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

Improvements By Others

The analysis includes background improvements by others. If these improvements are not in place at the time of construction, the site should provide these improvements or analysis demonstrating mitigation is not necessary.

Signalization

We defer to the District Engineer, the Division Traffic Engineer, and the Regional Traffic Engineer for final decisions regarding signalization.



LEGAL DESCRIPTION - SOUTHEASTERN BAPTIST THEOLOGICAL
SEMINARY, INC. TRACT PIN 1831.12-95-7846
DEED BOOK 1244 PG. 333

Being all of that particular tract of land located in Wake Forest, Wake County, North Carolina, and more particularly described as follows:

Beginning at an existing rebar, said rebar having N.C. Grid coordinates NAD'83 (2011) of North= 816,158.42 and East= 2,139,483.90, and said rebar located at the eastern right of way of Capital Boulevard (U.S. Highway 1) intersection with the southern right of way of Stadium Drive (S.R. 1930 - to be closed); then, along the eastern right of way of Capital Boulevard, North 39°06'36" East 199.28 feet to a right of way monument, then, continuing along the eastern right of way of Capital Boulevard, a curve to the left, having an arc length of 194.67', a radius of 7,747.94', and a chord bearing and distance of North 37°39'18" East 194.67' to a right of way monument, then, continuing along the eastern right of way of Capital Boulevard, a curve to the left, having an arc length of 316.92', a radius of 7,747.94', and a chord bearing and distance of North 35°45'48" East 316.89' to an iron pipe, then, leaving the right of way of Capital Boulevard, South 75°41'54" East 325.28 feet along the southern line of the Drake Family Trust property and the southern line of Phase One of the Staffordshire Subdivision to a concrete monument, then, continuing along Phase One of Staffordshire Subdivision, South 53°02'04" East 240.00 feet to a rebar, South 15°02'04" East 433.30 feet to a rebar, then, along the northern line of Staffordshire Subdivision Phases Two & Three, South 34°59'38" West 192.58 feet to a rebar, South 56°06'08" West 250.89 feet to an iron pipe in the northern right of way of Stadium Drive (S.R. 1930 - to be closed), then South 52°39'57" West 60.40 feet to a rebar, then South 37°20'03" East 29.15 feet to a right of way monument, then South 53°43'35" West 53.55 feet to a rebar, then, a curve to the left, having an arc length of 364.13', a radius of 602.96', and a chord bearing and distance of North 85°06'18" West 358.62' to a rebar, then South 72°48'58" West 150.25 feet to a rebar, then South 70°21'06" West 74.50 feet to a rebar, then South 73°40'58" West 29.70 feet to a rebar, then South 73°19'31" West 30.86 feet to a rebar,

then North $41^{\circ}38'17''$ West 367.23 feet to an iron pipe in the eastern
right
of way of Capital Boulevard, then, along the eastern right of way of
Capital
Boulevard, a curve to the left, having an arc length of 328.98', a radius
of
7,748.27', and a chord bearing and distance of North $41^{\circ}03'54''$ East
328.96'
the point and place of Beginning, containing 19.303 Acres more or less.

ORDINANCE 2023-XX

ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF WAKE FOREST AMENDING THE OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF WAKE FOREST TO CHANGE THE ZONING OF APPROXIMATELY 19.30 ACRES LOCATED AT 0 STADIUM DRIVE, BEING WAKE COUNTY TAX PIN 1831957846, FROM RURAL HOLDING DISTRICT (RD), RICHLAND CREEK WATERSHED MANAGEMENT AREA DISTRICT (RC-WMA), AND SPECIAL HIGHWAY OVERLAY (SH1-O) TO NEIGHBORHOOD MIXED-USE CONDITIONAL DISTRICT (NMX-CD), RICHLAND CREEK WATERSHED MANAGEMENT AREA DISTRICT (RC-WMA), AND SPECIAL HIGHWAY OVERLAY (SH1-O)

RZ-23-02, STADIUM DRIVE MIXED-USE

WHEREAS, the application submitted by Williams Mullen for the rezoning of land hereinafter described was duly filed with the Planning Department; and

WHEREAS, the Planning Board held a public comment session on October 10, 2023 and the Board of Commissioners held a public hearing on November 21, 2023; and

WHEREAS, mailed notices, property sign postings, and a newspaper notice publication were carried out for the public comment session and public hearing pursuant to G.S. § 160D-602 and the Unified Development Ordinance; and

WHEREAS, the Planning Board submitted its recommendation to the Board of Commissioners recommending approval of said application that was generally consistent with the Comprehensive Plan, and in the best public interest for the lands hereinafter described, all in accordance with the requirements of the Town of Wake Forest Unified Development Ordinance and the provisions of Chapter 160D, Article 6, of the North Carolina General Statutes;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina:

Section 1: The lands that are the subject of the Ordinance are those certain lands described in Exhibit 1 – Legal Description, which is incorporated herein by reference, and said lands are hereafter referred to as the “Rezoned Lands.”

Section 2: The parcels identified by the Wake County Tax Parcel Identification Number 1831957846, and described in Exhibit 1, are located within the Town’s Corporate Limits.

Section 3: The Town of Wake Forest Unified Development Ordinance, including the Town of Wake Forest North Carolina Official Zoning District Map which is a part of said Ordinance, is hereby amended by changing the zoning classification of the “Rezoned Lands” Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) as shown on Exhibit 1, subject to the conditions stated herein.

Section 4: The “Rezoned Lands” are subject to all of the standards and conditions in Exhibit 3 – Stadium Drive Mixed-use Master Plan, which are imposed as part of this rezoning.

Section 5: The Administrator is hereby authorized and directed to cause the said Official Zoning District Map for the Town of Wake Forest, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 6: After reviewing all the information presented at the public hearing and the Wake Forest plans, policies and ordinances, the Wake Forest Board of Commissioners find the zoning map amendment request reasonable and consistent with the 2022 Community Plan and is in the interest of the public and adopted a written consistency statement, which is on file with the Wake Forest Planning Department and attached as Exhibit 2.

Section 7: The “Rezoned Lands” are subject to the following conditions, which are imposed as part of this rezoning:

1. The conditional district master plan SP-23-04 approved as part of this rezoning request shall be a condition of this NMX-CD zoning district. Amendments to the approved master plan shall require a rezoning amendment unless the administrator finds the modification to be minor and in keeping with the spirit and intent of the adopted master plan. Minor amendments include, but are not limited to, moving buildings, updating parking layout, realignment of the private street network and adjusting building square footages within the limits of the TIA. Total building square footage and number of buildings could decrease, if necessary.
2. All development will comply with requirements of the Town of Wake Forest Unified Development Ordinance (UDO) unless expressly stated as an exception and will comply with the approved master plan in accordance with Condition 1.
3. The following uses shall be permitted within this NMX-CD zoning district in accordance with the UDO and this master plan, and may be subject to additional use standards (see UDO) – uses followed by “(SUP)” require approval of a special use permit; uses followed by “(A)” denote allowed as accessory use; uses followed by “(s)” denote use allowed subject to supplemental use standards contained in UDO:

RESIDENTIAL: Multifamily Dwellings (s)

OFFICE/SERVICE: ATM; Bank, Credit Union, Financial Services; Business Support Services; Dry Cleaning & Laundry Services; Medical Clinic; Personal Services; Professional Services; Home Occupation (A)(s)

COMMERCIAL/ENTERTAINMENT: General Commercial (EXCEPT any business in which the primary/principal use or activity is the retail sales of vaping and/or CBD products is prohibited); Bar/Tavern; Restaurant; Outdoor Seating (A)(s); Open Air Retail (s)

CIVIC: Public Safety Station; Recreation Facility, Indoor

AGRICULTURE: Garden (Community and Private); Produce Stand (s)

INFRASTRUCTURE: Wireless Telecommunications Facility, Non-Tower (s);
Wireless Telecommunications Facility, Tower (SUP)(s); Utilities – Class 1;
Utilities – Class 2

OTHER: Temporary Uses (See UDO Section 4.7 for Specific Provisions)

4. Building heights shall be limited to a maximum of four (4) stories plus a basement.
5. As part of the rezoning, modifications to UDO standards/requirements are granted as follows:
 - a. Modification to the number of parking spaces required by the UDO: for multi-family residential use to allow parking at a ratio of 1.52 spaces per unit.
 - b. Modification to UDO 9.3 regarding parking locations to allow parking to be located as shown on the approved plan.
 - c. Each of Buildings 1-5 shall be a maximum of 40 feet from the back of curb of the parking lot in the front of each building.
 - d. Modification to allow the required number of parking spaces for retail use and shown on the plan to include restaurant and bar uses based on the integrated mix of uses on the site that facilitates patronage of the non-residential space by residents within the development that can walk to these establishments.
 - e. Modification to the minimum frontage buildout (UDO 2.2.3.D) to allow: minimum frontage buildout of 35.1% for Lot 1 along frontage of built and future NCDOT right-of way (street A); and minimum of 25.4% for Lot 2 along frontage of built and future NCDOT right-of-way (street A).
 - f. Modification of the required setbacks from a major access corridor in the SHO district to allow: a minimum building setback of 25 feet for Building 6 (Lot 2); a minimum parking setback of 24 feet for a portion of the parking area on Lot 2; and a minimum building setback of 48 feet for Building 2 (Lot 1) for a portion of the building.
 - g. Modification of the required street bufferyard in the SHO district to allow a minimum average width of 20 feet along US Hwy 1 and a minimum average width of 20 feet along Street A.
6. Improvements recommended by the Traffic Impact Analysis (as approved by NCDOT and Town of Wake Forest) shall be constructed as per final requirements and timing. Any NCDOT driveway permits, encroachment permits and/or control of access permits will have to be obtained by the applicant from NCDOT and any conditions imposed by NCDOT will have to be met by the Applicant. Amavi is obligated to complete superstreet improvements on US 1/Capitol Blvd. related to its development approved in project number RZ-22-07 (“Superstreet Improvements”). In the event that Amavi does not complete the Superstreet Improvements, Applicant will pay a fee in lieu in the amount of 3% of the cost of the Superstreet Improvements based upon Applicant’s traffic impact related to the Superstreet Improvements.
7. The vertically mixed-use buildings shall each contain a minimum of 8,000 square feet of non-residential use space inclusive of incidental areas (hallways, storage and/or mechanical equipment space). To more effectively respond to evolving

market conditions and better facilitate accommodating the needs of residents within this development and the community, no minimum amount of retail use as defined in the UDO is required within the non-residential square footage of mixed-use buildings.

8. EV charging stations will be provided in the development at a rate of two (2) per building with locations and details to be determined and shown on the construction drawings submitted for review of this development.
9. In an effort to create continuity for the entire project, a common building material shall be provided on the site plan submitted for review of this development that is used in all phases of the development. The material could be used in a variety of ways including, but not limited to: landscaping walls, signage, building materials, accent materials, etc. Providing a minimum of one element for each phase shall satisfy this condition, but the developer may choose to provide the material in multiple facets if desired.
10. Prior to issuance of the first building permit for the multifamily buildings, supplemental plantings if necessary will be installed in the perimeter buffer adjacent to existing residential development. Since the perimeter buffer incorporates existing vegetation, Town staff may, at the request of the applicant, defer installation of supplemental plantings to a later date if staff determines at the time of issuing each building permit that existing vegetation in the vicinity of the respective building functions consistent with screening requirements.
11. Developer shall purchase and install a public art feature of a type, design and location as approved in consultation with Town Staff and the Town's Public Art Commission and will be shown on the approved construction drawings. Public Art shall be a combination of murals, sculptures, or interactive installations for a minimum commitment of \$50,000.
12. A minimum of six outdoor seating/benches will be provided in the active park space behind Building 2, along pedestrian plazas, and adjacent to sidewalks and/or other area within the development where practical and appropriate subject to site development constraints, with locations and details to be determined at the time of construction drawing review for this development.
13. In the retail area between Buildings 1 and 2, Developer will construct the sidewalks of stamped concrete or paver stones, the crosswalks of stamped asphalt or decorative art crosswalks and will provide decorative lighting, all to be finally determined on the construction plans.
14. A thirty-foot (30') buffer shall be provided adjacent to the shared property lines with Staffordshire Inc. and Sarah A. Drake, Trustee Drake Family Trust, as shown on the plan approved as part of rezoning RZ-23-02/SP-23-04.
15. No balconies or patios shall be allowed on the north facing facade of Building 4 and the south and east facing facades of Building 5.
16. As part of construction drawing review for this development, the applicant will work with the appropriate staff to identify potential mutually acceptable location of a bus shelter within the existing right-of-way adjacent to Stadium Drive near Glencoe Drive.

17. Developer will provide a crosswalk at the intersection of Street A as shown on the Master Plan and the Stadium Drive entrance to Wake Forest Crossing Shopping Center, subject to approval by NCDOT.

Section 8: The “Rezoned Lands” shall be perpetually bound to the conditions imposed including the uses authorized, unless subsequently changed or amended as provided for in the Unified Development Ordinance.

Adopted and effective this the 21st day of November 2023.

Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary
Town Clerk

Hassan Kingsberry
Town Attorney

Consistency Statement of the Wake Forest Board of Commissioners Pursuant to G.S. 160D-605 Addressing Action on Zoning Map Amendment RZ-23-02: Stadium Drive Mixed-Use Conditional District

The Wake Forest Board of Commissioners finds that RZ-23-02 is consistent with the 2022 Wake Forest Community Plan. The Wake Forest Board of Commissioners finds that the approval of the rezoning request is reasonable and in the public interest for the following reasons:

1. The proposed zoning district is consistent with the Corridor Commercial Future Land Uses in the Community Plan.
2. The proposed rezoning supports Community Plan policies related to Activity Centers by providing a higher density along key corridors and activity centers.
3. The proposed rezoning support Community Plan policies related to Commercial Development by providing a multi-story mixed-use building commitment and creating a pedestrian-oriented shopping environment.
4. The proposed rezoning supports Community Plan policies related to Residential Character by creating a pedestrian-friendly environment.

SITE DATA

1. CURRENT PROPERTY OWNERS	SOUTHEASTERN BAPTIST THEOLOGICAL SEMINARY, INC. 240 WINGATE STREET WAKE FOREST, NC 27587
2. CONTACT PERSON	PIEDMONT LAND DESIGN, LLP ATTN: MIKE SCHNEIDER 8522-204 SIX FORKS ROAD RALEIGH, NORTH CAROLINA 27615 (919) 845-7600 (PHONE) (919) 845-7703 (FAX) MIKES@PIEDMONTLANDDESIGN.COM (E-MAIL)
3. EXISTING LOT AREA	19.30 AC (INCLUDES STADIUM DRIVE ROW, TO BE ABANDONED)
4. PROPOSED LOT AREAS	NEW LOT 1 = 14.80 AC NEW LOT 2 = 3.28 AC NEW ROW = 1.22 AC TOTAL AREA = 19.30 AC
5. PARCEL DATA:	PIN: 1831957846 DB 1244, PG 333
5. EXISTING ZONING	RURAL HOLDING DISTRICT (RD)
6. PROPOSED ZONING	NEIGHBORHOOD MIXED-USE CONDITIONAL DISTRICT (NMX-CD)
7. MINIMUM LOT CRITERIA:	-SETBACKS (MINIMUMS): PRINCIPAL FRONT SETBACK: 12' MAXIMUM STREET SIDE/SECONDARY FRONT SETBACK: 12' MAXIMUM SIDE SETBACK (from adjacent lot): 0' MINIMUM REAR SETBACK: 0' MINIMUM -FRONTAGE BUILDOUT (FOR PRINCIPAL STREET FRONTAGE ONLY) MINIMUM REQUIRED: 60% PROVIDED: 35.1% FOR LOT 1 ALONG FRONTAGE OF BUILT AND FUTURE NCDOT RIGHT-OF-WAY (STREET A); AND MINIMUM OF 25.4% FOR LOT 2 ALONG FRONTAGE OF BUILT AND FUTURE NCDOT RIGHT-OF-WAY (STREET A). -MINIMUM LOT WIDTH AT FRONT SETBACK: 60' -MINIMUM LOT SIZE: 40,000 SF -MINIMUM ALLOWABLE BUILDING HEIGHT = NONE -MAXIMUM ALLOWABLE BUILDING HEIGHT = 6 STORIES -MAXIMUM PROPOSED BUILDING HEIGHT = 4 STORIES
8. MAXIMUM DENSITY	N/A
9. PROPOSED DENSITY	LOT 1 = 307 UNITS/14.80 AC=20.7 UNITS/AC (APARTMENTS) LOT 2 = N/A (MEDICAL BLDG.) *SEE "BUILDING DATA" CHART PROPOSED BUILDING SQUARE FOOTAGES
10. PROPOSED RESIDENTIAL UNITS	307 UNITS
11. PROPOSED BUILT UPON AREA (IMPERVIOUS AREA)	NEW LOT 1 NEW LOT 2 NEW ROW BUILDINGS = 2.46 AC (16.6%) 0.46 AC (13.8%) N/A PAVEMENT/SIDEWALKS = 5.87 AC (39.5%) 1.10 AC (33.0%) 0.82 AC TOTAL = 8.33 AC (56.1%) 1.56 AC (46.8%) 0.82 AC
12. CURRENT USE	VACANT
13. PROPOSED USES	LOT 1 = MULTI FAMILY/RETAIL LOT 2 = MEDICAL OFFICE BLDG. * FOR SQUARE FOOTAGE AND LOCATION OF USES, SEE "BUILDING DATA" TABLE THIS SHEET
14. PROPOSED DISTURBED AREA	17.0 AC (88.0%)
15. HISTORIC STRUCTURES	NONE ARE LOCATED ON SITE
16. FEMA FLOODPLAIN	PROPERTY IS NOT LOCATED IN A FEMA FLOOD AREA
17. WATERSHED	RICHLAND CREEK WATERSHED MANAGEMENT AREA DISTRICT (RC-WMA)
18. SPECIAL FLOOD HAZARD SOILS	NONE
19. PROPOSED PUBLIC ROADS	838 LF
20. FIRE LANE WIDTHS	20' WIDE (SEE FIRE ROUTE PLAN SHEET)
21. EXISTING IMPERVIOUS	0.3 AC
22. OPEN SPACE/PARK SPACE	OPEN SPACE ROD=2% OF SITE AREA OPEN SPACE ROD=2% OF SITE AREA PARK SPACE ROD=2% OF SITE AREA PARK SPACE ROD=2% OF SITE AREA ACTIVE RECREATION REQUIRED=25% OF PROVIDED PARK SPACE ROD AREA=25% OF 0.38 AC=0.1 AC (0.1 AC/25% PROVIDED) SEE PLAN FOR PROVIDED AMENITIES.
23. COMMUNITY PLAN DESIGNATION	CORRIDOR COMMERCIAL - LOCATED IN AN ACTIVITY CENTER
24. APPLICANT:	THOMAS H. JOHNSON, JR WILLIAMS MULLEN 301 FAYETTEVILLE STREET, SUITE 1700 RALEIGH, NC 27601 PH: 919-981-4006 E-MAIL: T.JOHNSON@WILLIAMSMULLEN.COM
25. DEVELOPER:	CAPITOL COMMERCIAL, LLC PO BOX 6247 RALEIGH NC 27628 ATTN: TYLER MORRIS PHONE: 252-722-9312

AUTO PARKING DATA

NEW LOT #1
REQUIRED PARKING: MULTI FAMILY: 307 UNITS X 1.8 SPACES/UNIT = 553 SPACES REQUIRED RETAIL: 19,428 SF X 1 SPACE/350 SF = 56 SPACES REQUIRED TOTAL PARKING REQUIRED = 609 SPACES
PROVIDED PARKING: MULTI FAMILY: 467 SPACES PROVIDED * RETAIL: 56 SPACES PROVIDED TOTAL PARKING PROVIDED = 523 SPACES
* A MODIFICATION IS REQUESTED TO ALLOW 467 PARKING SPACES FOR THE MULTI-FAMILY. THE PROVIDED PARKING RATIO = 467 SPACES/307 UNITS = 1.52

NEW LOT #2
REQUIRED PARKING: MEDICAL: 25,000 SF X 1 SPACE/250 SF = 100 SPACES REQUIRED
PROVIDED PARKING: 100 SPACES PROVIDED

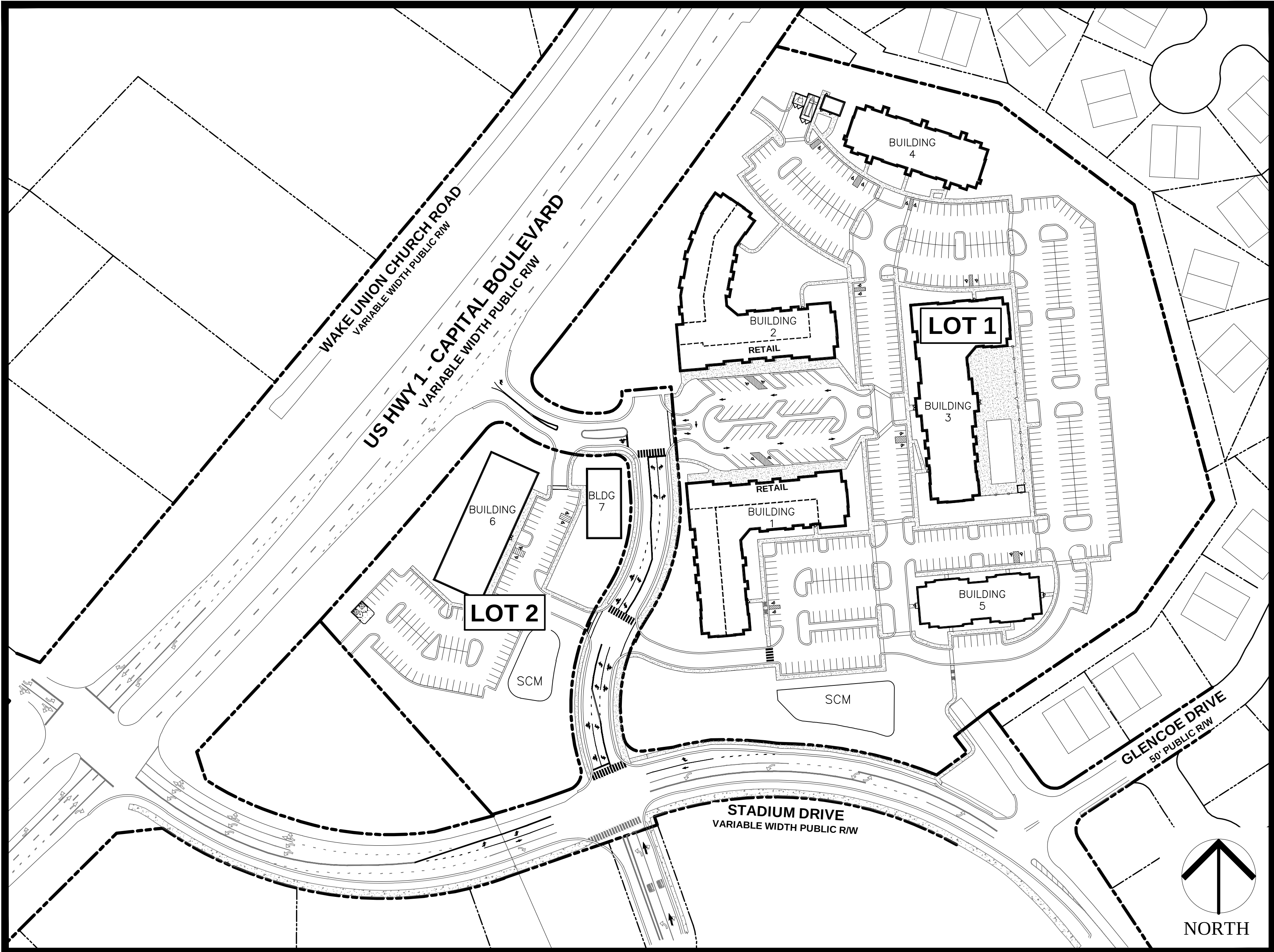
BIKE PARKING DATA

NEW LOT #1
REQUIRED PARKING: MULTI FAMILY: 468 AUTO SPACES X (2 BIKE SPACES/40 AUTO SPACES) = 24 SPACES REQUIRED RECREATION FACILITY: 1 SPACE/30 UNITS = 307/30 = 11 SPACES REQUIRED RETAIL: 56 AUTO SPACES X (2 BIKE SPACES/40 AUTO SPACES) = 3 SPACES REQUIRED
TOTAL BIKE PARKING REQUIRED = 38 SPACES
PROVIDED PARKING: 38 SPACES PROVIDED - LOCATION(S) AND DETAILS TO BE DETERMINED AND SHOWN ON THE CONSTRUCTION DRAWINGS SUBMITTED FOR REVIEW OF THIS DEVELOPMENT
NEW LOT #2
REQUIRED PARKING: MEDICAL: 100 AUTO SPACES X (2 BIKE SPACES/50 AUTO SPACES) = 4 SPACES REQUIRED
PROVIDED PARKING: 4 SPACES PROVIDED - LOCATION(S) AND DETAILS TO BE DETERMINED AND SHOWN ON THE CONSTRUCTION DRAWINGS SUBMITTED FOR REVIEW OF THIS DEVELOPMENT

REZONING APPLICATION FOR:
STADIUM DRIVE APARTMENTS

RZ-23-02 / SP-23-04
WAKE FOREST, NORTH CAROLINA

A DEVELOPMENT BY:
CAPITOL COMMERCIAL, LLC



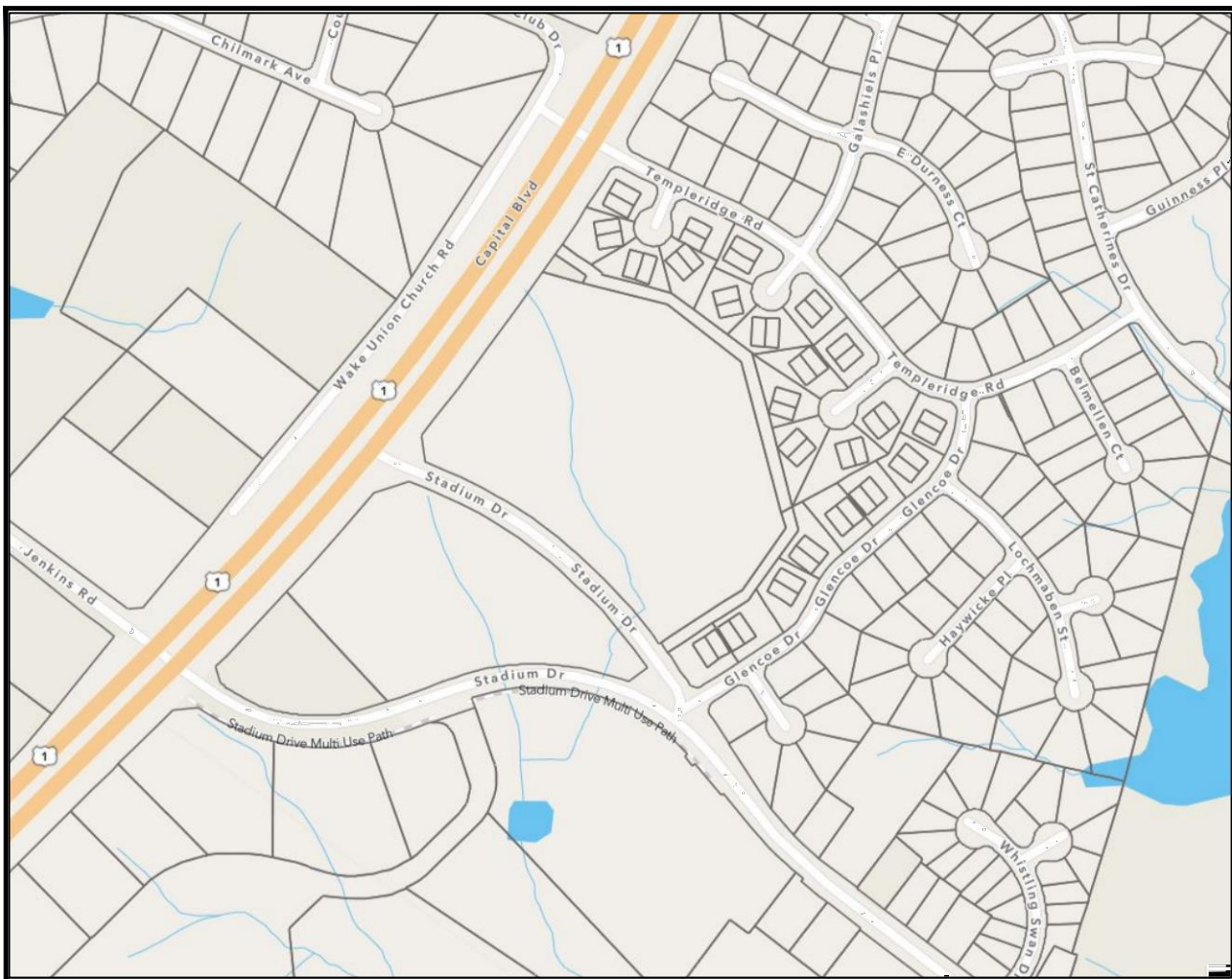
VICINITY MAP SCALE: 1"=100

SHEET INDEX:

PP 1.0	COVER SHEET
PP 2.0	EXISTING CONDITIONS & TREE SURVEY PLAN
PP 3.0	TREE DEMOLITION PLAN
PP 4.0	SITE PLAN
PP 5.0	FIRE ROUTE PLAN
PP 6.0	GRADING AND DRAINAGE PLAN
PP 7.0	UTILITY PLAN
PP 8.0	ROADWAY CROSS SECTIONS
PP 9.0	FUTURE NCDOT STADIUM DRIVE ALIGNMENT
PP 10.0	LIGHTING PLAN
LP 1.1	LANDSCAPE PLAN
LP 9.1	LANDSCAPE DETAILS

GENERAL NOTES

- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH TOWN OF WAKE FOREST, WAKE COUNTY AND THE STATE OF NORTH CAROLINA STANDARDS AND SPECIFICATIONS.
- CONTRACTOR SHALL HAVE NORTH CAROLINA ONE CALL (1-800-632-4949) LOCATE ALL EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR CONFLICTS PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR REMOVING OR RELOCATING ALL UTILITIES IN CONFLICT WITH NEW CONSTRUCTION. CONTRACTOR SHALL COORDINATE WITH UTILITY COMPANIES PRIOR TO DISTURBANCE.
- SURVEY DATA PROVIDED BY ROBINSON & PLANTE, PC, NC LICENSE C-2687, 970 TRINITY RD, RALEIGH, NC 27607 (919)859-6030
- A LIGHTING PLAN PREPARED IN ACCORDANCE WITH APPLICABLE UDO REQUIREMENTS SHALL BE INCLUDED WITH THE SITE PLAN SUBMITTED FOR REVIEW OF THIS DEVELOPMENT



VICINITY MAP NTS

ZONING CONDITIONS

STADIUM DRIVE MIXED USE CONDITIONAL DISTRICT REZONING (RZ-23-02/SP-23-04)
UNADDRESSED PROPERTY ON STADIUM DRIVE, WAKE FOREST (WAKE COUNTY PIN: 1831957846)

- THE CONDITIONAL DISTRICT MASTER PLAN SP-23-04 APPROVED AS PART OF THIS REZONING REQUEST SHALL BE A CONDITION OF THIS NMX-CD ZONING DISTRICT AMENDMENTS TO THE APPROVED MASTER PLAN SHALL REQUIRE A REZONING AMENDMENT UNLESS THE ADMINISTRATOR FINDS THE MODIFICATION TO BE MINOR AND IN KEEPING WITH THE SPIRIT AND INTENT OF THE ADOPTED MASTER PLAN. MINOR AMENDMENTS INCLUDE, BUT ARE NOT LIMITED TO, MOVING BUILDINGS, UPDATING PARKING LAYOUT, REALIGNMENT OF THE PRIVATE STREET NETWORK AND ADJUSTING BUILDING SQUARE FOOTAGES WITHIN THE LIMITS OF THE 1A, TOTAL BUILDING SQUARE FOOTAGE AND NUMBER OF BUILDINGS COULD DECREASE, IF NECESSARY.
- ALL DEVELOPMENT WILL COMPLY WITH REQUIREMENTS OF THE TOWN OF WAKE FOREST UNIFIED DEVELOPMENT ORDINANCE (UDO) UNLESS EXPRESSLY STATED AS AN EXCEPTION AND WILL COMPLY WITH THE APPROVED MASTER PLAN IN ACCORDANCE WITH CONDITION 1.
- THE FOLLOWING USES SHALL BE PERMITTED WITHIN THIS NMX-CD ZONING DISTRICT IN ACCORDANCE WITH THE UDO AND THIS MASTER PLAN, AND MAY BE SUBJECT TO ADDITIONAL USE STANDARDS (SEE UDO) - USES FOLLOWED BY "(SUP)" REQUIRE APPROVAL OF A SPECIAL USE PERMIT. USES FOLLOWED BY "(A)" DENOTE ALLOWED AS ACCESSORY USE; USES FOLLOWED BY "(S)" DENOTE USE ALLOWED SUBJECT TO SUPPLEMENTAL USE STANDARDS CONTAINED IN UDO:

RESIDENTIAL: MULTIFAMILY DWELLINGS (S)
OFFICE/SERVICE: ATM; BANK; CREDIT UNION; FINANCIAL SERVICES; BUSINESS SUPPORT SERVICES; DRY CLEANING & LAUNDRY SERVICES; MEDICAL CLINIC; PERSONAL SERVICES; PROFESSIONAL SERVICES; HOME OCCUPATION (A)(S)
COMMERCIAL/ENTERTAINMENT: GENERAL COMMERCIAL (EXCEPT ANY BUSINESS IN WHICH THE PRIMARY/PRINCIPAL USE OR ACTIVITY IS THE RETAIL SALES OF VAPING AND/OR CBD PRODUCTS IS PROHIBITED); BARY/Tavern; RESTAURANT; OUTDOOR SEATING (A)(S); OPEN AIR RETAIL (S)
CIVIC: PUBLIC SAFETY STATION; RECREATION FACILITY, INDOOR
AGRICULTURE: GARDEN (COMMUNITY AND PRIVATE); PRODUCE STAND (S)
INFRASTRUCTURE: WIRELESS TELECOMMUNICATIONS FACILITY, NON-TOWER (S); WIRELESS TELECOMMUNICATIONS FACILITY, TOWER (SUP)(S); UTILITIES - CLASS 1; UTILITIES - CLASS 2
OTHER TEMPORARY USES (SEE UDO SECTION 4.7 FOR SPECIFIC PROVISIONS)

- BUILDING HEIGHTS SHALL BE LIMITED TO A MAXIMUM OF FOUR (4) STORIES PLUS A BASEMENT.
- AS PART OF THE REZONING, MODIFICATIONS TO UDO STANDARDS/REQUIREMENTS ARE GRANTED AS FOLLOWS:
a) MODIFICATION TO THE NUMBER OF PARKING SPACES REQUIRED BY THE UDO: FOR MULTI-FAMILY RESIDENTIAL USE TO ALLOW PARKING AT A RATIO OF 1.52 SPACES PER UNIT.
b) MODIFICATION TO UDO 9.3 REGARDING PARKING LOCATIONS TO ALLOW PARKING TO BE LOCATED AS SHOWN ON THE APPROVED PLAN.
c) EACH OF BUILDINGS 1-5 SHALL BE A MAXIMUM OF 40 FEET FROM THE BACK OF CURB OF THE PARKING LOT IN THE FRONT OF EACH BUILDING.
d) MODIFICATION TO ALLOW THE REQUIRED NUMBER OF PARKING SPACES FOR RETAIL USE AND SHOWN ON THE PLAN TO INCLUDE RESTAURANT AND BAR USES BASED ON THE INTEGRATED MIX OF USES ON THE SITE THAT FACILITATES PATRONAGE OF THE NON-RESIDENTIAL SPACE BY RESIDENTS WITHIN THE DEVELOPMENT THAT CAN WALK TO THESE ESTABLISHMENTS.
e) MODIFICATION TO THE MINIMUM FRONTAGE BUILDOUT (UDO 2.2.3.D) TO ALLOW: MINIMUM FRONTAGE BUILDOUT OF 35.1% FOR LOT 1 ALONG FRONTAGE OF BUILT AND FUTURE NCDOT RIGHT-OF-WAY (STREET A); AND MINIMUM OF 25.4% FOR LOT 2 ALONG FRONTAGE OF BUILT AND FUTURE NCDOT RIGHT-OF-WAY (STREET A).
f) MODIFICATION OF THE REQUIRED SETBACKS FROM A MAJOR ACCESS CORRIDOR IN THE SHO DISTRICT TO ALLOW: A MINIMUM BUILDING SETBACK OF 25 FEET FOR BUILDING 6 (LOT 2); A MINIMUM PARKING SETBACK OF 24 FEET FOR A PORTION OF THE PARKING AREA ON LOT 2; AND A MINIMUM BUILDING SETBACK OF 48 FEET FOR BUILDING 2 (LOT 1) FOR A PORTION OF THE BUILDING.
g) MODIFICATION OF THE REQUIRED STREET BUFFERYARD IN THE SHO DISTRICT TO ALLOW A MINIMUM AVERAGE WIDTH OF 20 FEET ALONG US HWY 1 AND A MINIMUM AVERAGE WIDTH OF 20 FEET ALONG STREET A.
h) IMPROVEMENTS RECOMMENDED BY THE TRAFFIC IMPACT ANALYSIS (AS APPROVED BY NCDOT AND TOWN OF WAKE FOREST) SHALL BE CONSTRUCTED AS PER FINAL REQUIREMENTS AND TIMING. ANY NCDOT DRIVEWAY PERMITS, ENCROACHMENT PERMITS AND/OR CONTROL OF ACCESS PERMITS WILL HAVE TO BE OBTAINED BY THE APPLICANT FROM NCDOT AND ANY CONDITIONS IMPOSED BY NCDOT WILL HAVE TO BE MET BY THE APPLICANT. AMAVI IS OBLIGATED TO COMPLETE SUPERSTREET IMPROVEMENTS ON US 1/CAPITOL BLVD. RELATED TO ITS DEVELOPMENT APPROVED IN PROJECT NUMBER RZ-22-07 ("SUPERSTREET IMPROVEMENTS"). IN THE EVENT THAT AMAVI DOES NOT COMPLETE THE SUPERSTREET IMPROVEMENTS, APPLICANT WILL PAY A FEE IN LIEU IN THE AMOUNT OF 3% OF THE COST OF THE SUPERSTREET IMPROVEMENTS BASED UPON APPLICANT'S TRAFFIC IMPACT RELATED TO THE SUPERSTREET IMPROVEMENTS.
- THE VERTICALLY MIXED-USE BUILDINGS SHALL EACH CONTAIN A MINIMUM OF 8,000 SQUARE FEET OF NON-RESIDENTIAL USE SPACE INCLUSIVE OF INCIDENTAL AREAS (HALLWAYS, STORAGE AND/OR MECHANICAL EQUIPMENT SPACES), TO MORE EFFECTIVELY RESPOND TO EVOLVING MARKET CONDITIONS AND BETTER FACILITATE ACCOMMODATING THE NEEDS OF RESIDENTS WITHIN THIS DEVELOPMENT AND THE COMMUNITY. NO MINIMUM AMOUNT OF RETAIL USE AS DEFINED IN THE UDO IS REQUIRED WITHIN THE NON-RESIDENTIAL SQUARE FOOTAGE OF THE MIXED-USE BUILDINGS.
- EV CHARGING STATIONS WILL BE PROVIDED IN THE DEVELOPMENT AT A RATE OF TWO (2) PER BUILDING WITH LOCATIONS AND DETAILS TO BE DETERMINED AND SHOWN ON THE CONSTRUCTION DRAWINGS SUBMITTED FOR REVIEW OF THIS DEVELOPMENT.
- IN AN EFFORT TO CREATE CONTINUITY FOR THE ENTIRE PROJECT, A COMMON BUILDING MATERIAL SHALL BE PROVIDED ON THE SITE PLAN SUBMITTED FOR REVIEW OF THIS DEVELOPMENT THAT IS USED IN ALL PHASES OF THE DEVELOPMENT. THE MATERIAL COULD BE USED IN A VARIETY OF WAYS INCLUDING, BUT NOT LIMITED TO: LANDSCAPING WALLS, SIGNAGE, BUILDING MATERIALS, ACCENT MATERIALS, ETC. PROVIDING A MINIMUM OF ONE ELEMENT FOR EACH PHASE SHALL SATISFY THIS CONDITION, BUT THE DEVELOPER MAY CHOOSE TO PROVIDE THE MATERIAL IN MULTIPLE FACETS IF DESIRED.
- PRIOR TO ISSUANCE OF THE FIRST BUILDING PERMIT FOR THE MULTIFAMILY BUILDINGS, SUPPLEMENTAL PLANTINGS IF NECESSARY WILL BE INSTALLED IN THE PERIMETER BUFFER ADJACENT TO EXISTING RESIDENTIAL DEVELOPMENT SINCE THE PERIMETER BUFFER INCORPORATES EXISTING VEGETATION, TOWN STAFF MAY, AT THE REQUEST OF THE APPLICANT, DEFER INSTALLATION OF SUPPLEMENTAL PLANTINGS TO A LATER DATE IF STAFF DETERMINES AT THE TIME OF ISSUING EACH BUILDING PERMIT THAT EXISTING VEGETATION IN THE VICINITY OF THE RESPECTIVE BUILDING FUNCTIONS CONSISTENT WITH SCREENING REQUIREMENTS.
- AS PART OF CONSTRUCTION DRAWING REVIEW FOR THIS DEVELOPMENT, THE APPLICANT WILL WORK WITH STAFF TO IDENTIFY GENERAL AREAS FOR OPPORTUNITIES TO INCORPORATE PUBLIC ART WITHIN THE DEVELOPMENT APPROPRIATE IN SCALE AND CONTEXT FOR THE LOCATIONS. THE LOCATIONS FOR PUBLIC ART OPPORTUNITIES WILL BE SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS.
- A MINIMUM OF SIX OUTDOOR SEATING/BENCHES WILL BE PROVIDED IN THE ACTIVE PARK SPACE BEHIND BUILDING 2, ALONG PEDESTRIAN PLAZAS, AND ADJACENT TO SIDEWALKS AND/OR OTHER AREA WITHIN THE DEVELOPMENT WHERE PRACTICAL AND APPROPRIATE SUBJECT TO SITE DEVELOPMENT CONSTRAINTS, WITH LOCATIONS AND DETAILS TO BE DETERMINED AT THE TIME OF CONSTRUCTION DRAWING REVIEW FOR THIS DEVELOPMENT.
- A THIRTY-FOOT (30') BUFFER SHALL BE PROVIDED ADJACENT TO THE SHARED PROPERTY LINES WITH STAFFORDSHIRE INC. AND SARAH A. DRAKE, TRUSTEE DRAKE FAMILY TRUST, AS SHOWN ON THE PLAN APPROVED AS PART OF REZONING RZ-23-02/SP-23-04.
- NO BALCONIES OR PATIOS SHALL BE ALLOWED ON THE NORTH FACING FACADE OF BUILDING 4 AND THE SOUTH AND EAST FACING FACADES OF BUILDING 5.
- AS PART OF CONSTRUCTION DRAWING REVIEW FOR THIS DEVELOPMENT, THE APPLICANT WILL WORK WITH THE APPROPRIATE STAFF TO IDENTIFY POTENTIAL MUTUALLY ACCEPTABLE LOCATION OF A BUS SHELTER WITHIN THE EXISTING RIGHT-OF-WAY ADJACENT TO STADIUM DRIVE NEAR GLENCOE DRIVE.

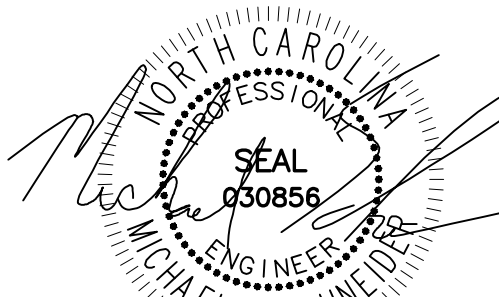
PRELIMINARY
NOT FOR CONSTRUCTION

WAKE FOREST CASE# - SP-23-04

RECOMMENDATION FOR APPROVAL BY THE WAKE FOREST BOARD OF COMMISSIONERS	RECOMMENDATION FOR APPROVAL BY THE WAKE FOREST PLANNING BOARD
DATE:	DATE:

PLD

PIEDMONT LAND DESIGN, LLP
8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



09-20-23

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

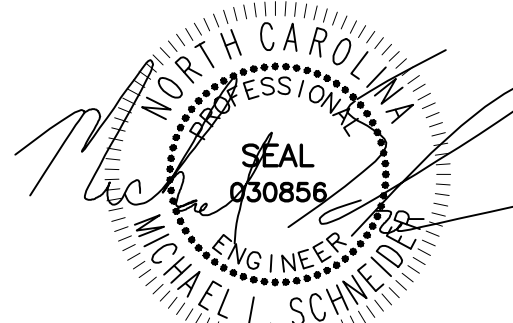
15 MAY 2023	
PER TOWN COMMENTS	
30 AUG 2023	
PER TOWN COMMENTS	
20 SEP 2023	
PER TOWN COMMENTS	

DRAWN BY: JET
CHECKED BY: JDL

PROJECT: CCUS1SDWF

COVER SHEET

DWG. NO. PP 1.0



08-30-23

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

15 MAY 2023
PER TOWN COMMENTS
30 AUG 2023
PER TOWN COMMENTS

DRAWN BY: JET
CHECKED BY: JDL

PROJECT: CCUS1SDWF

EXISTING
CONDITIONS &
TREE SURVEY

DWG. NO. PP 2.0

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 56°06'08" W	59.93'
L2	N 37°33'01" W	32.54'
L3	N 39°15'01" W	7.41'
L4	N 38°57'18" W	37.03'
L5	N 40°19'40" W	51.57'
L6	N 42°52'05" W	51.45'
L7	N 44°43'23" W	51.29'
L8	N 47°02'14" W	51.43'
L9	N 48°56'05" W	51.29'
L10	N 50°37'10" W	51.19'
L11	N 52°41'41" W	51.45'
L12	N 54°56'57" W	52.14'
L13	N 58°07'49" W	52.01'
L14	N 61°37'24" W	52.02'
L15	N 64°35'48" W	51.66'
L16	N 66°01'54" W	68.17'
L17	N 67°23'40" W	54.07'
L18	N 63°25'38" W	70.73'
L19	N 69°04'22" E	95.22'
L20	S 68°54'43" E	74.30'

LINE TABLE		
L21	S 65°56'34" E	64.68'
L22	S 64°35'48" E	49.09'
L23	S 61°37'24" E	48.66'
L24	S 58°07'49" E	48.51'
L25	S 54°56'57" E	49.29'
L26	S 52°41'41" E	49.19'
L27	S 50°37'10" E	49.22'
L28	S 48°56'05" E	49.41'
L29	S 47°02'14" E	49.22'
L30	S 44°43'23" E	49.10'
L31	S 42°52'05" E	49.15'
L32	S 40°19'40" E	49.27'
L33	S 38°28'54" E	49.45'
L34	S 37°20'03" E	25.36'
L35	S 37°20'03" E	29.15'
L36	S 53°43'35" W	53.55'
L37	S 73°40'58" W	29.70'
L38	S 73°19'51" W	30.86'
L41	N 21°05'42" E	59.98'
L42	S 52°39'57" W	60.40'

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT
C1	1°28'23"	7747.94'	194.67'	97.34'	N 37°39'18" E
C2	2°20'37"	7747.94'	316.92'	316.89'	N 35°45'48" E
C3	2°25'58"	7748.27'	328.98'	328.96'	N 41°03'54" E
C4	34°36'04"	602.96'	364.13'	358.62'	N 85°06'18" W

GENERAL NOTES

- PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE EXAMINATION HAS BEEN DONE BY ROBINSON & PLANTE, P.C.
- PROPERTY IS IN ZONE X, NOT IN A SPECIAL FLOOD HAZARD AREA, BY FEMA FIRM NO. 3720184100K, PANEL 1841, LAST REVISED 07/19/22, AND FIRM 3720183100K, PANEL 1831, LAST REVISED 07/19/22.
- AREAS BY COORDINATE METHOD.
- DISTANCES ARE HORIZONTAL GROUND.
- ZONING SHOWN PER WAKE COUNTY GIS.
- UNDERGROUND UTILITIES SHOWN TO EXTENT POSSIBLE THRU SURFACE STRUCTURES AND PAINTED LINES. UNDERGROUND UTILITY LOCATION IS APPROXIMATE AND MAY BE INCOMPLETE.
- D.B. 4986 PG. 160 RECORDS A TEMPORARY DRAINAGE EASEMENT A MAXIMUM WIDTH OF 18' OUTSIDE THE RIGHT OF WAY (FOR SLOPES).

TREE LEGEND

- XX TREE SPECIES (TO BE REMOVED)
- XX TREE SPECIES (TO REMAIN)

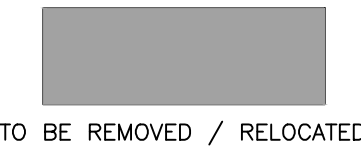
TREE SUMMARY

ALL SURVEYED TREES TO BE REMOVED UNLESS OTHERWISE SPECIFIED IN THIS TREE SUMMARY.

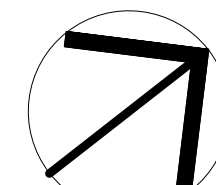
TREES TO BE SAVED:

- T1 - 22" WHITE OAK
T2 - 23" WILLOW OAK
T3 - 26" WHITE OAK
T4 - 24" HICKORY
T5 - 35" WHITE OAK
T6 - 21" WHITE OAK
T7 - 21" RED OAK
T8 - 25" PINE
T9 - 28" WHITE OAK
T10 - 29" PINE
T11 - 23" WHITE OAK
T12 - 21" WHITE OAK
T13 - 22" WHITE OAK
T14 - 24" WHITE OAK
T15 - 25" WHITE OAK
T16 - 28" WHITE OAK
T17 - 23" RED OAK

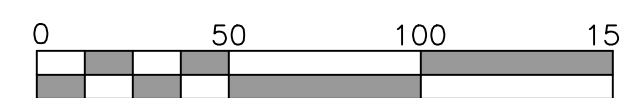
SITE LEGEND



TO BE REMOVED / RELOCATED



NORTH



SCALE IN FEET

PRELIMINARY
NOT FOR CONSTRUCTION

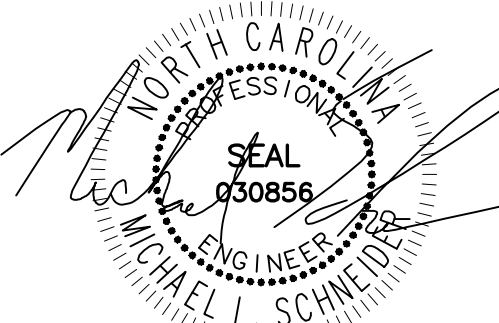
WAKE FOREST CASE# - SP-23-04

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS
DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD
DATE:



8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

**0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA**

REVISIONS:

1 15 MAY 2023

△ 2 30 AUG 2023

PER TOWN COMMENTS

3 20 SEP 2023

PER TOWN COMMENTS

DRAWN BY: JET

CHECKED BY: JDI

PROJECT: CCUS1SDWE

DWG. NO. **PP 4.0**

CURRENT PROPERTY OWNERS: SOUTHEASTERN BAPTIST THEOLOGICAL SEMINARY, INC. 242 MC WINGATE STREET WAKE FOREST, NC 27887

2. CONTACT PERSON: PIEDMONT LAND DESIGN, LLP
ATTN: MIKE SCHNEIDER
8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
(919) 845-7800 (PHONE)
(919) 845-7033 (FAX)
MIKES@PIEDMONTLANDDESIGN.COM (E-MAIL)

3. EXISTING LOT AREA: 19.30 AC (INCLUDES STUDION DRIVE ROW, TO BE ABANDONED)

4. PROPOSED LOT AREAS:
NEW LOT 1 = 1.42 AC
NEW LOT 2 = 3.28 AC
NEW ROW = 1.28 AC
TOTAL AREA = 19.30 AC

5. PARCEL DATA: PIN: 1831597846
DB 1244, PG 333

6. EXISTING ZONING: RURAL HOLDING DISTRICT (R0)

7. PROPOSED ZONING: NEIGHBORHOOD MIXED-USE CONDITIONAL DISTRICT (NMX-CD)

7. MINIMUM LOT CRITERIA:
-SETBACKS (MINIMUMS):
MINIMUM FRONT SETBACK: 12' MINIMUM
SIDE SETBACK/SECONDARY FRONT SETBACK: 12' MINIMUM
SIDE SETBACK (from adjacent lot): 0' MINIMUM
REAR SETBACK: 0' MINIMUM
-FRONTAGE BUILDOUT (FOR FRONTAL STREET FRONTAGE MINIMUM REQUIRED: 60%
PROVIDED: 35.1% FOR LOT 1 ALONG FRONTAGE OF AND FUTURE NCDOT RIGHT-OF-WAY (STREET A); AN MINIMUM OF 25.4% FOR LOT 2 ALONG FRONTAGE OF BUILT AND FUTURE NCDOT RIGHT-OF-WAY (STREET C).
-MINIMUM LOT WIDTH AT FRONT SETBACK: 60'
-MINIMUM LOT SIZE: 40,000 SF
-MINIMUM ALLOWABLE BUILDING HEIGHT = NONE
-MAXIMUM ALLOWABLE BUILDING HEIGHT = 6 STOREYS
-MAXIMUM PROPOSED BUILDING HEIGHT = 4 STOREYS

8. MAXIMUM DENSITY: N/A

9. PROPOSED DENSITY: LOT 1 = 307 UNITS/14.80 AC=20.7 UNITS/AC (APARTMENTS)
LOT 2 = N/A (MEDICAL BUILD.)
*SEE "BUILDING DATA" CHART PROPOSED BUILDING SQUARE FOOTAGES

10. PROPOSED RESIDENTIAL UNITS: 307 UNITS

11. PROPOSED BUILT UPON AREA (IMPERVIOUS AREA)
NEW LOT 1 NEW LOT 2 NEW ROW
BUILDINGS = 2.46 AC (16.6%) 0.46 AC (13.8%) N/A
PAVEMENT/SIDEWALKS = 2.87 AC (19.53%) 1.10 AC (33.07%) 0.82 AC
TOTAL = 5.33 AC (56.13%) 1.56 AC (46.85%) 0.82 AC

12. CURRENT USE: VACANT

13. PROPOSED USES: LOT 1 = MULTI-FAMILY/RETAIL
LOT 2 = MEDICAL OFFICE BLDG.
* FOR SPACE FOOTAGE AND LOCATION OF USES, SEE "BUILDING DATA" TABLE THIS SHEET

14. PROPOSED DISTURBED AREA: 17.0 AC (88.0%)

15. HISTORIC STRUCTURES: NONE ARE LOCATED ON SITE

16. FEMA FLOODPLAIN: PROPERTY IS NOT LOCATED IN A FEMA FLOOD AREA

17. WATERSHED: RICHLAND CREEK WATERSHED MANAGEMENT AREA DISTRICT (RC-WMA)

18. SPECIAL FLOOD HAZARD SOILS: NONE

19. PROPOSED PUBLIC ROADS: 838 LF

20. FIRE LAINE WIDTHS: 20' WIDE (SEE FIRE ROUTE PLAN SHEET)

21. EXISTING IMPERVIOUS: 0.3 AC

22. OPEN SPACE/PAV. SPACE:
OPEN SPACE ROW=25% OF SITE AREA
OPEN SPACE ROW=25% OF SITE AREA 0.38 AC (2% PROVIDED)
PAV. SPACE ROW=25% OF SITE AREA
PAV. SPACE ROW=25% OF SITE AREA 0.38 AC (2% PROVIDED)
ACTIVE RECREATION REQUIRES 2% OF PROVIDED PAV. SPACE
ROW AREA=25% OF SITE AREA 0.38 AC (2% PROVIDED)
SEE PLAN FOR PROVIDABLE ARENTIES.

23. COMMUNITY PLAN DESIGNATION: CORRIDOR COMMERCIAL - LOCATED IN AN ACTIVITY CENTER

24. APPLICANT: CC INVESTMENTS, LLC
PO BOX 6247
RALEIGH NC 27628
ATTN: JASON STEGALL
PHONE: 252-722-9312

25. DEVELOPER: CAPITOL COMMERCIAL, LLC
PO BOX 6247
RALEIGH NC 27628
ATTN: TYLER MORRIS
PHONE: 252-722-9312

NEW LOT #1

REQUIRED PARKING:
MULTI FAMILY: 320 SPACES/UNIT X 1.8 SPACES/UNIT = 576 SPACES REQUIRED
RETAIL: 19,428 SF X 1 SPACE/350 SF = 56 SPACES REQUIRED
TOTAL PARKING REQUIRED = 609 SPACES

PROVIDED PARKING:
MULTI FAMILY: 467 SPACES PROVIDED *
RETAIL: 56 SPACES PROVIDED
TOTAL PARKING PROVIDED = 523 SPACES

* A MODIFICATION IS REQUESTED TO ALLOW 467 PARKING SPACES FOR THE MULTI-FAMILY LOT. THE TOTAL LOT SIZE IS 10,000 SF.

NEW LOT #1

REQUIRED PARKING:
MULTI FAMILY: 468 AUTO SPACES X (2 BIKE SPACES/40 AUTO SPACES) = 24 SPACES REQUIRED
RECREATION FACILITY: 1 SPACE/30 UNITS = 307/30 = 11 SPACES REQUIRED
TOTAL: 56 AUTO SPACES X (2 BIKE SPACES/40 AUTO SPACES) = 3 SPACES REQUIRED
TOTAL BIKE PARKING REQUIRED = 38 SPACES

PROVIDED PARKING:
38 SPACES PROVIDED – LOCATION(S) AND DETAILS TO BE DETERMINED AND SHOWN ON THE CONSTRUCTION DRAWINGS SUBMITTED FOR REVIEW OF THIS DEVELOPMENT

NEW LOT #2

REQUIRED PARKING:
MEDICAL: 100 AUTO SPACES X (2 BIKE SPACES/50 AUTO SPACES) = 4 SPACES REQUIRED

PROVIDED PARKING:
38 SPACES PROVIDED – LOCATION(S) AND DETAILS TO BE DETERMINED AND SHOWN ON THE CONSTRUCTION DRAWINGS SUBMITTED FOR REVIEW OF THIS DEVELOPMENT

1. ALL SIDEWALKS ADJACENT TO ALL PARKING STALLS SHALL BE 6' WIDE CONCRETE SIDEWALKS. OTHER SIDEWALKS ARE 5' WIDE UNLESS OTHERWISE NOTED.
2. ALL HVAC UNITS WILL BE LOCATED ON THE ROOF TOPS.
3. THE MAILBOX UNITS WILL BE LOCATED IN THE CLUBHOUSE BUILDING (BLDG. 3).
4. ALL WALLS OVER 30" IN HEIGHT REQUIRE A 42" ALUMINUM FENCE UNLESS OTHERWISE NOTED.
5. THE PROPOSED SCUM WILL INCORPORATE FENCES AROUND THE SCUM PERIMETER
6. ALL STOP BARS, DIRECTIONAL ARROWS, CROSSWALKS AND ANY REGULATORY PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
7. DETAILS REGARDING SPECIFIC AMENITIES AND THEIR LOCATION(S) WITHIN PARK ADJACENT TO BUILDINGS 2 AND 3, INTERNAL TO BUILDING(S) AND WITHIN OVERLAP ZONE(S) WILL BE DETERMINED WITHIN THE CONSTRUCTION DEVELOPMENT DETERMINED AT THE TIME OF CONSTRUCTION DRAWING REVIEW FOR THIS DEVELOPMENT.

RECOMMENDATION FOR APPROVAL BY THE WAKE FOREST BOARD OF COMMISSIONERS	RECOMMENDATION FOR APPROVAL BY THE WAKE FOREST PLANNING BOARD
DATE: _____	DATE: _____

AASHTO INTERSECTION SIGHT DISTANCE SUMMARY							
STOP SIGN CONTROL - LEFT & RIGHT TURNS FROM MINOR STREET INTO A 2-LANE ROADWAY							
Stadium Drive							
				Calculated		Calculated	
Street Name (Traffic)	Street Name (Approaching Street, Stop Condition)	Design Speed of Through Street, mph	Grade of Approach Street, %	Left Turn Time Gap (sec)	Right Turn Time Gap (sec)	Left Turn Sight Distance (ft.)	Right Turn Sight Distance (ft.)
Stadium Drive	New Roadway	60	2.50	7.60	6.50	441	362
US-1	New Roadway	60	5.00	7.60	6.50	682	573

BUILDING	STORIES	USE	GROSS SF	# UNITS	BUILDING HEIGHT
1	4 STORIES W/BASEMENT	MULTI-FAMILY/RETAIL	99,510 GSF RESIDENTIAL, 9,748 GSF RETAIL	85	41'-2" WITH 10'-8" BASEMENT
2	4 STORIES W/BASEMENT	MULTI-FAMILY/RETAIL	106,576 GSF RESIDENTIAL, 9,680 GSF RETAIL	80	41'-2" WITH 10'-8" BASEMENT
3	4	MULTI-FAMILY	102,920 GSF RESIDENTIAL	82	43'-2" MAX
4	3	MULTI-FAMILY	40,200 GSF RESIDENTIAL	36	30'-6"
5	3	MULTI-FAMILY	33,885 GSF RESIDENTIAL	24	30'-6"
6	1	MEDICAL	15,000 SF	N/A	13' +/-
7	2	MEDICAL	10,000 SF	N/A	26' +/-
TOTALS			383,091 SF RESIDENTIAL 19,428 SF RETAIL 25,000 SF MEDICAL	307	

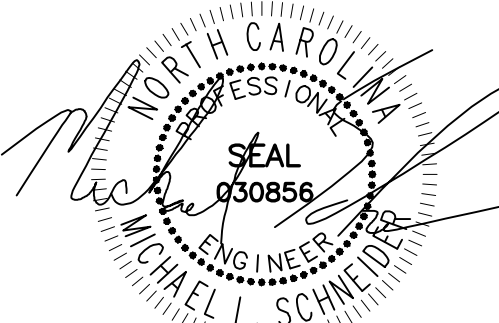
RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD

PLD

PIEDMONT LAND DESIGN, LLP

8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



08-30-23

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

- | | |
|-------------|-------------------|
| 15 MAY 2023 | PER TOWN COMMENTS |
| 30 AUG 2023 | PER TOWN COMMENTS |

DRAWN BY: JET
CHECKED BY: JDL

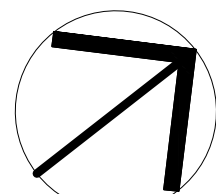
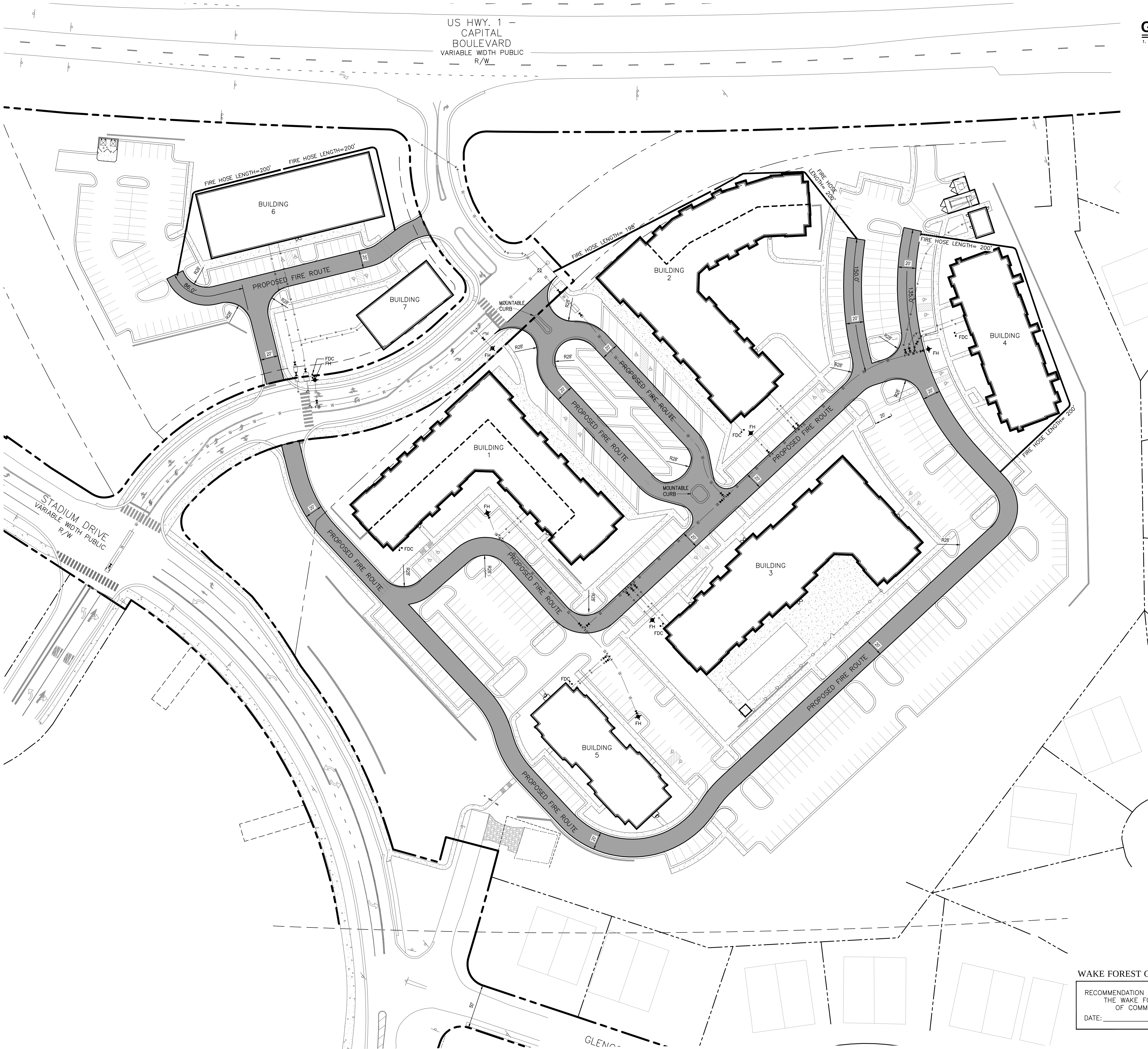
PROJECT: CCUS1SDWF

FIRE ROUTE
PLAN

DWG. NO. PP 5.0

GENERAL NOTES

1. ALL HVAC UNITS WILL BE LOCATED ON THE ROOF TOPS.



NORTH



SCALE IN FEET

PRELIMINARY
NOT FOR CONSTRUCTION

WAKE FOREST CASE# - SP-23-04

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS

DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD

DATE:

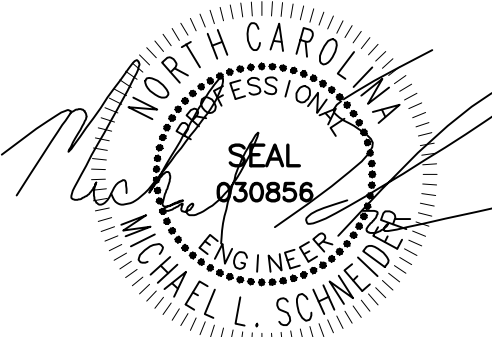
GRADING NOTES:

1. SCM SIZING IS PRELIMINARY AND WILL BE FURTHER REVIEWED WITH CONSTRUCTION DRAWINGS
2. ALL WALLS OVER 30" IN HEIGHT REQUIRE A 42" ALUMINUM FENCE UNLESS OTHERWISE NOTED. FENCING WILL BE PROVIDED AROUND SCM'S

PLD

PIEDMONT LAND DESIGN, LLP

8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



09-20-23

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

- 15 MAY 2023
PER TOWN COMMENTS
- 30 AUG 2023
PER TOWN COMMENTS
- 20 SEP 2023
PER TOWN COMMENTS

DRAWN BY: JET
CHECKED BY: JDL

PROJECT: CCUS1SDWF

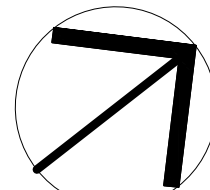
GRADING & DRAINAGE
PLAN

DWG. NO. PP 6.0

US HWY. 1 - CAPITAL
BOULEVARD
VARIABLE WIDTH PUBLIC R/W

EX. DI
GRATE=400.90'
INV. OUT=398.4'

EX. DI
GRATE=403.98
INV. OUT=397.43



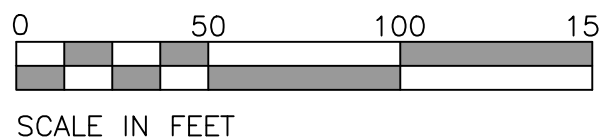
NORTH

PRELIMINARY
NOT FOR CONSTRUCTION

WAKE FOREST CASE# - SP-23-04

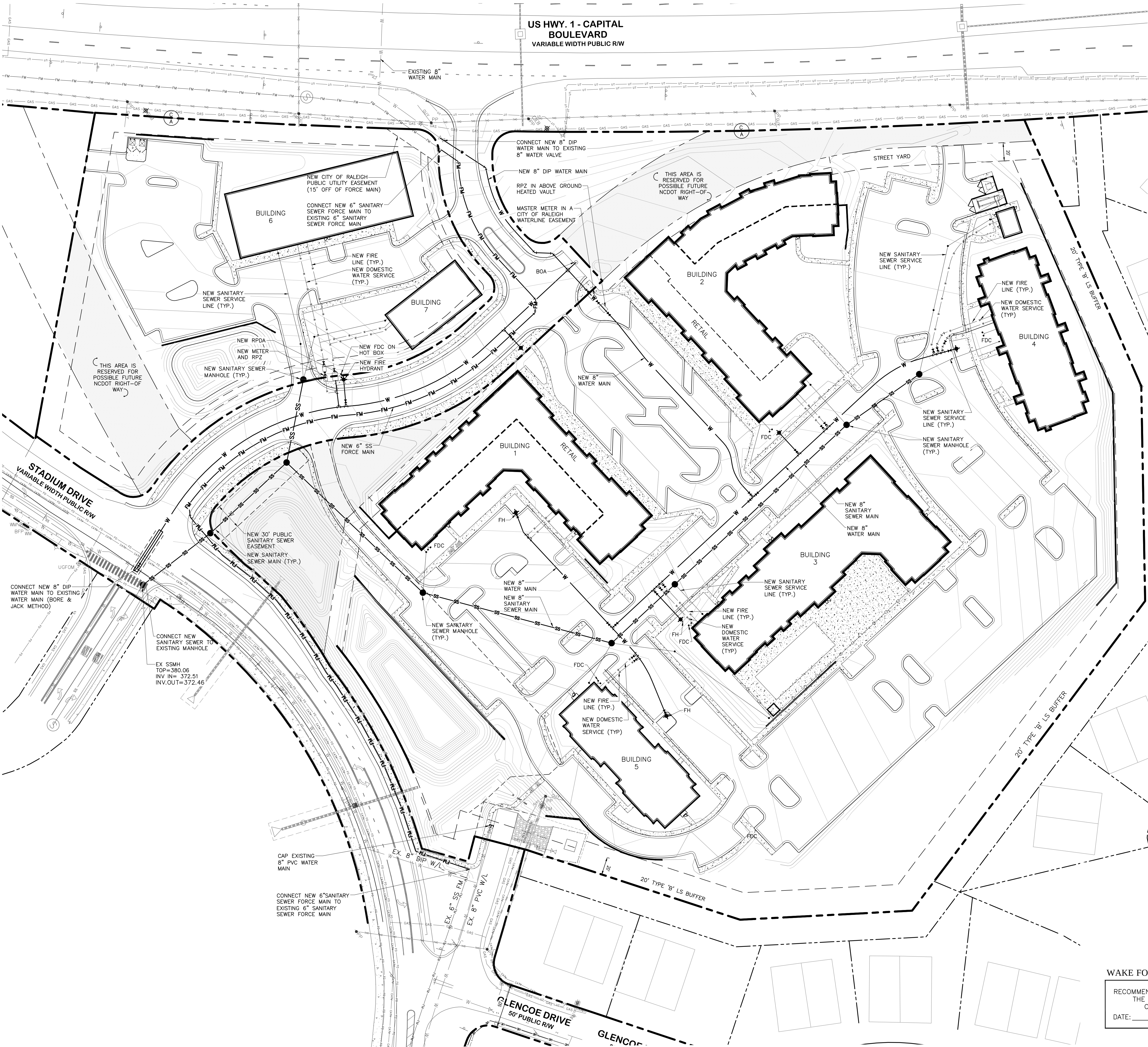
RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS
DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD
DATE:



SCALE IN FEET

1,000' SHOOT YARD



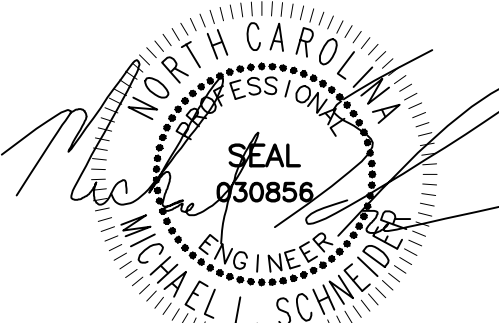
GENERAL NOTES

1. SANITARY SEWER AND WATER TO BE DESIGNED AND CONSTRUCTED TO CITY OF RALEIGH STANDARDS.

PLD

PIEDMONT LAND DESIGN, LLP

8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
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09-20-23

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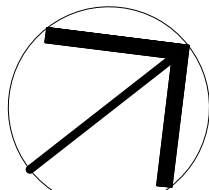
STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

- 15 MAY 2023
PER TOWN COMMENTS
- 30 AUG 2023
PER TOWN COMMENTS
- 20 SEP 2023
PER TOWN COMMENTS



NORTH

0 50 100 150

SCALE IN FEET

PRELIMINARY
NOT FOR CONSTRUCTION

WAKE FOREST CASE# - SP-23-04

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS

DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD

DATE:

UTILITY PLAN

DWG. NO. PP 7.0

PLD

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8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 19 JAN 2023

REVISIONS:

15 MAY 2023	PER TOWN COMMENTS
30 AUG 2023	PER TOWN COMMENTS

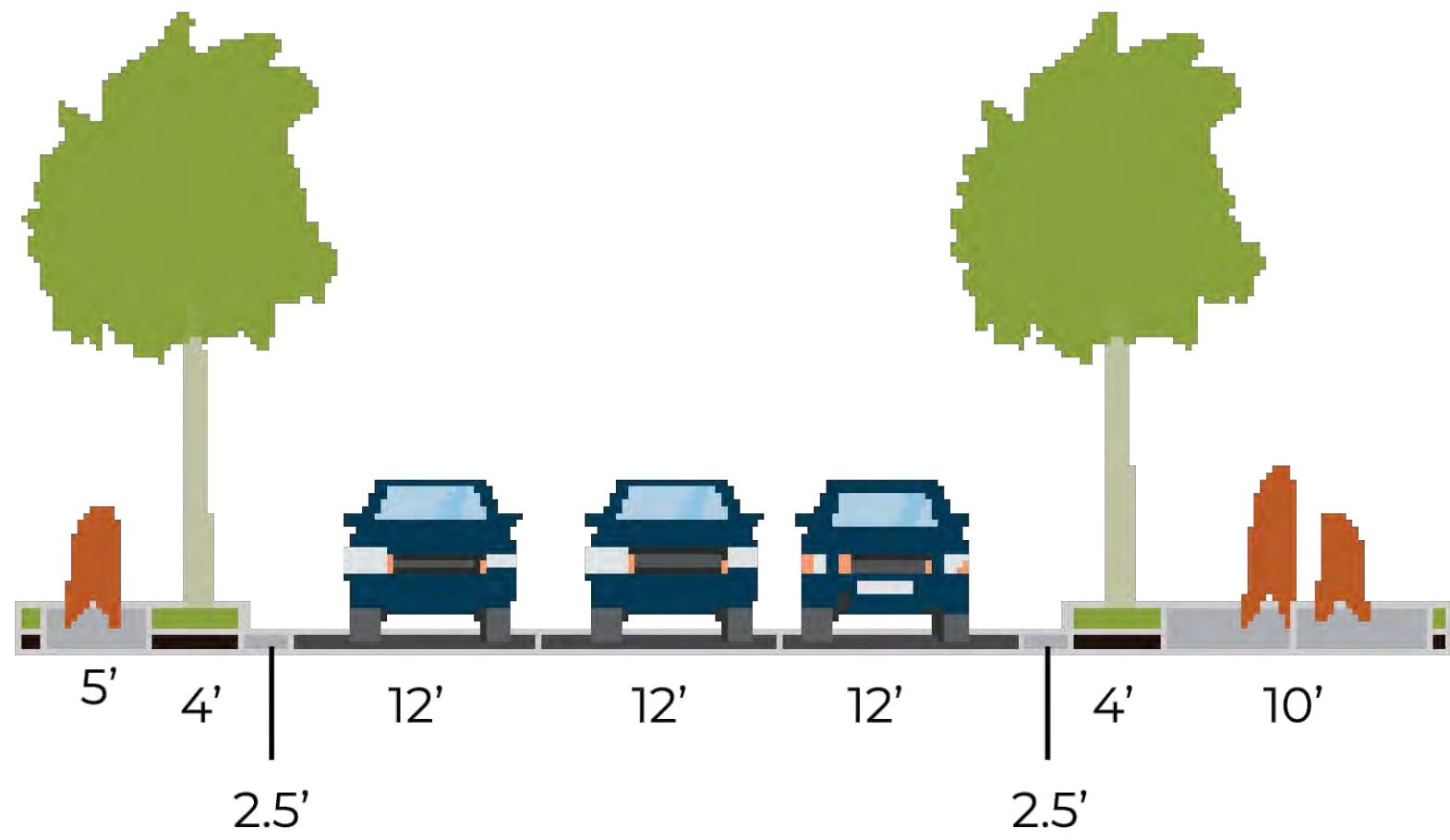
DRAWN BY: JET
CHECKED BY: JDL

PROJECT: CCUS1SDWF

ROADWAY CROSS
SECTION

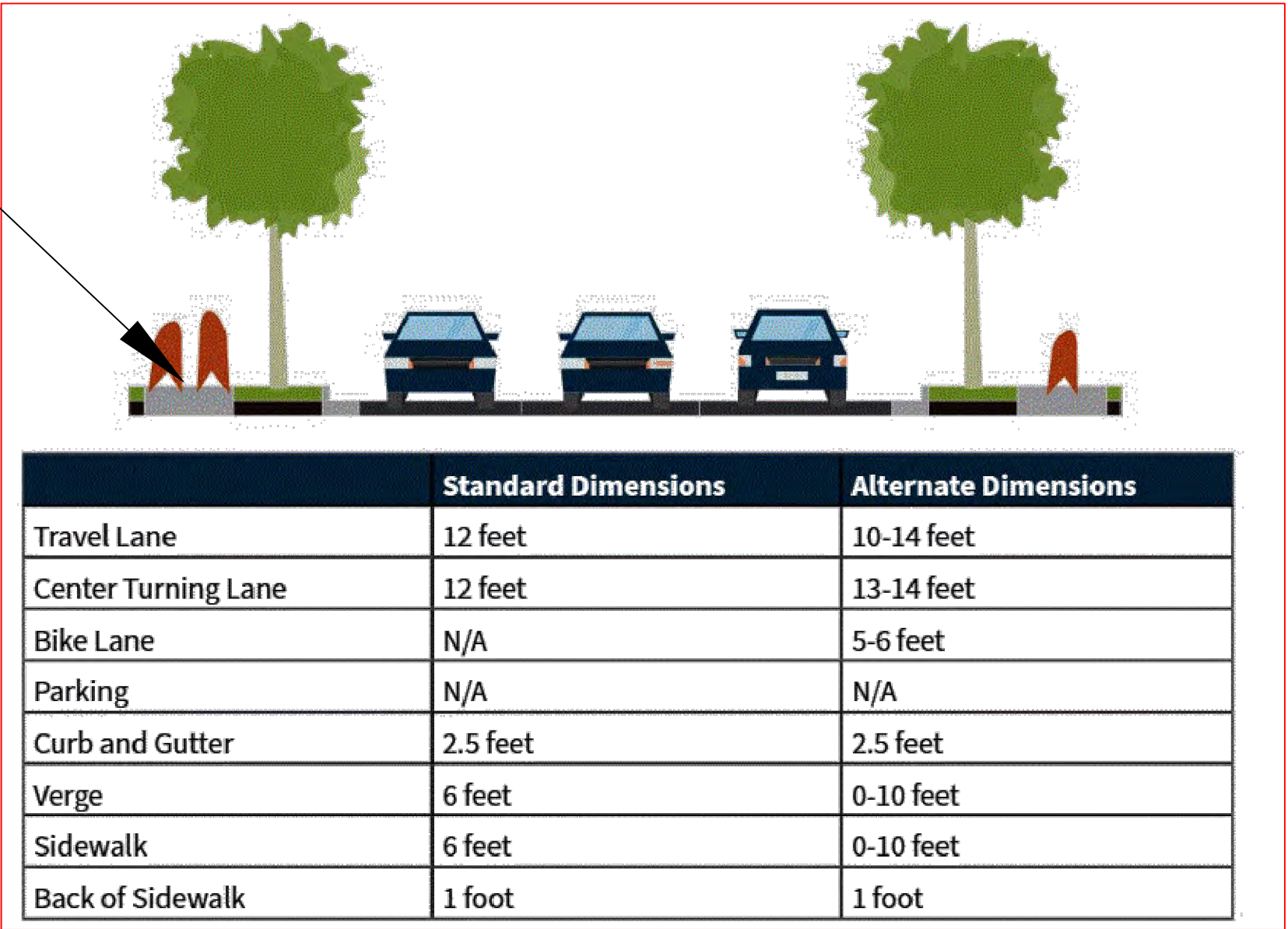
DWG. NO. PP 8.0

US 1 Service Road
North of S Main Street (US 1A)
Minimum R/W: 70'



STREET A

10' MULTI-USE PATH



STADIUM DRIVE

WAKE FOREST CASE# - SP-23-04

PRELIMINARY
NOT FOR CONSTRUCTION

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS
DATE: _____

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD
DATE: _____

PLD

PIEDMONT LAND DESIGN, LLP
8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS
0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

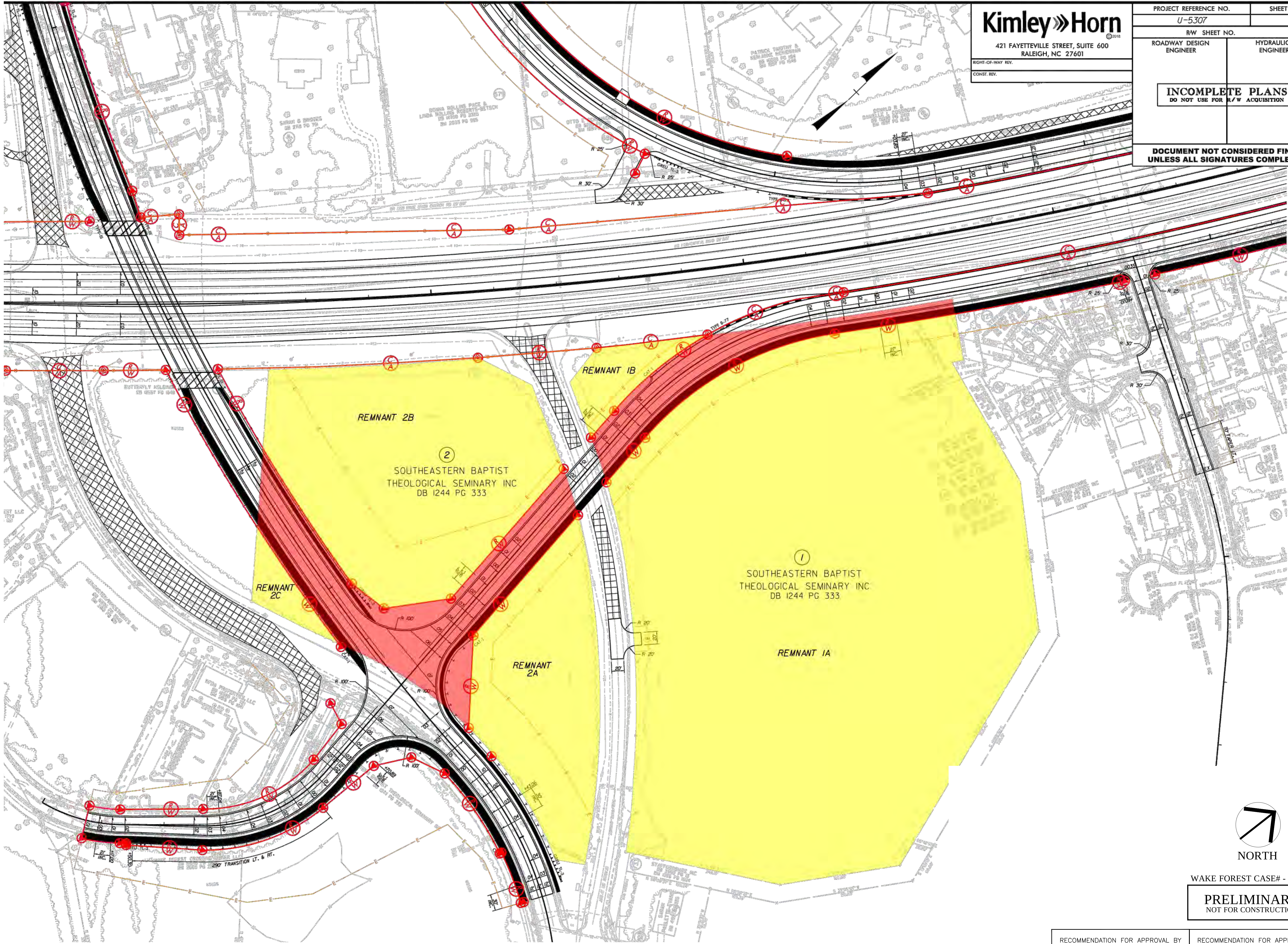
ISSUED: 19 JAN 2023

REVISIONS:

DRAWN BY: JET
CHECKED BY: JDL
PROJECT: CCUS1SDWF

FUTURE NCDOT
STADIUM DRIVE
ALIGNMENT

DWG. NO. PP 9.0



Kimley»Horn

421 FAYETTEVILLE STREET, SUITE 600
RALEIGH, NC 27601

RIGHT-OF-WAY REV.
CONST. REV.

PROJECT REFERENCE NO.
U-5307

SHEET NO.

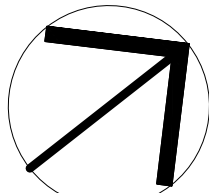
RW SHEET NO.

ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED



NORTH

WAKE FOREST CASE# - SP-22-XX

PRELIMINARY
NOT FOR CONSTRUCTION

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS
DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD
DATE:

FOR REFERENCE ONLY NTS

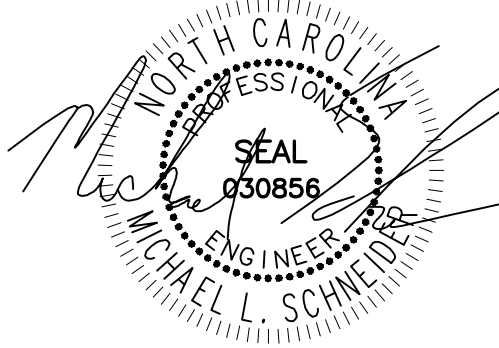
GENERAL NOTES

1. A LIGHTING PLAN PREPARED IN ACCORDANCE WITH APPLICABLE UDO REQUIREMENTS SHALL BE INCLUDED WITH THE SITE PLAN SUBMITTED FOR REVIEW OF THIS DEVELOPMENT

PLD

PIEDMONT LAND DESIGN, LLP

8522-204 SIX FORKS ROAD
RALEIGH, NORTH CAROLINA 27615
919.845.7600 PHONE
919.845.7703 FAX
ENGR. FIRM LICENSE NO. F-0843



09-20-23

PRELIMINARY
NOT FOR CONSTRUCTION

STADIUM DRIVE APARTMENTS

0 STADIUM DRIVE
WAKE FOREST, NORTH CAROLINA

ISSUED: 30 AUG 2023

REVISIONS:

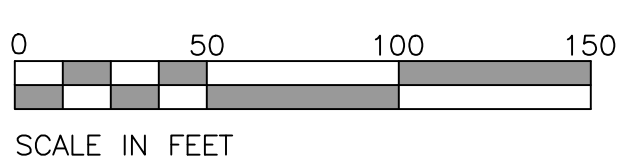
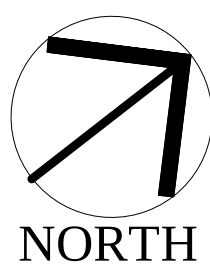
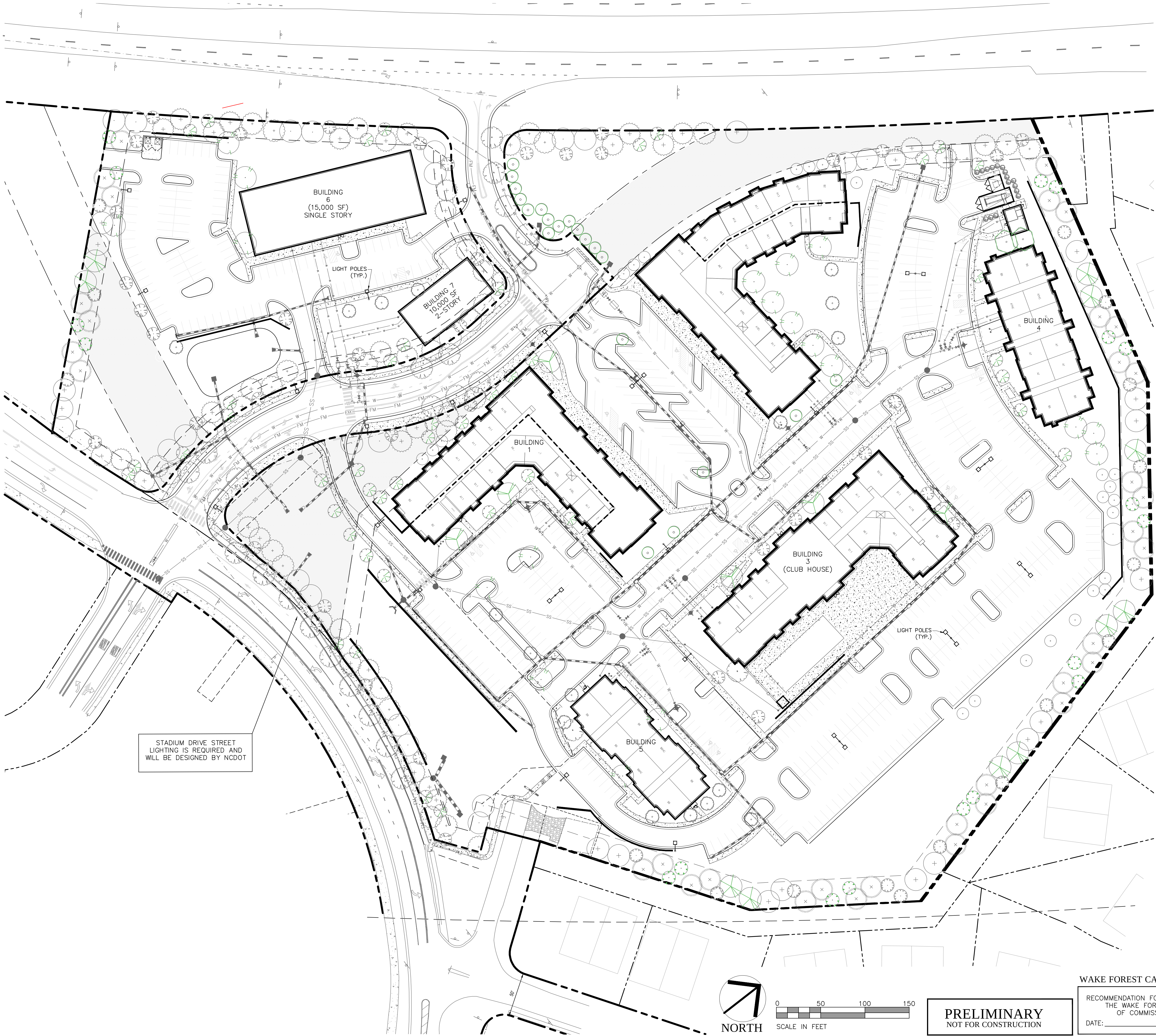
20 SEP 2023
PER TOWN COMMENTS

DRAWN BY: JET
CHECKED BY: JDL

PROJECT: CCUS1SDWF

LIGHTING PLAN

DWG. NO. PP 10.0



PRELIMINARY
NOT FOR CONSTRUCTION

WAKE FOREST CASE# - SP-23-04

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST BOARD
OF COMMISSIONERS
DATE:

RECOMMENDATION FOR APPROVAL BY
THE WAKE FOREST
PLANNING BOARD
DATE:



PROJECT:	VWF-21203	DATE
ISSUE:	Rezoning Application	01.19.2023
	-	-
	-	-
	-	-
	-	-
VISIONS:	1st Review Comments	05.15.2023
	2nd Review Comments	09.05.2023
	3rd Review Comments	09.21.2023
	-	-
	-	-
	-	-
DRAWN BY:	KL	
CHECKED BY:	MT	
CONTENT:	CODE REQUIRED LANDSCAPE PLAN	

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9/20/2023 10:54 AM P:\21proj\21203_Wake-Forest-Stadium\4c_LAND\DP\21203-Stadium_Drive-LP12.dwg



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-296-

Submitted by: Nick Nolte

Submitting Department: Engineering

Meeting Date: November 21, 2023

SUBJECT

Public Hearing on Stormwater Utility Fee

Recommendation:

Item Summary:

ATTACHMENTS

- [Agenda Summary_112123.pdf](#)
- [Attachment A_Ordinance.docx](#)
- [Attachement B_SUAG Recommendations Presentation.pdf](#)
- [Exhibit 1_Chapter 14_Article IV_V.pdf](#)

Agenda Item: Public Hearing on the Stormwater Utility Fee

Summary: The Town holds a Phase II MS4 Permit with the State which requires continual maintenance and good housekeeping of the Town's stormwater and environmental infrastructure without any federal or state financial assistance. Due to this being an unfunded mandate, the Engineering Department has utilized Freese and Nichols, a consultant with previous experience in preparing municipal stormwater utility fees, to help the Town analyze a need for a utility fee to fund the ongoing and future maintenance required by the State's MS4 Stormwater permit. A Stormwater Utility Advisory Group was created consisting of a Planning Board member, a HOA/Property manager, two Large Business representatives, an Engineer and TCC Board Member, an active resident, a Downtown Chamber of Commerce member, as well as a Small Business owner to develop equitable recommendations on the utility structure. Over the six meetings the Stormwater Utility Advisory Group had, recommendations were made regarding the service level, Capital projects, fee basis and fee credits, Residential and Non-Residential Rate Structures, and the assessment mechanism. Their recommendations involve separating existing services (\$1,471,00/yr), new services (Staff and equipment, \$575,000/yr), and the capital improvements backlog (\$10,500,000) from the current general fund and being funded solely by the proposed Stormwater Utility Fee. The Stormwater Utility Advisory Groups recommendations were presented to the Board of Commissioners at the Work Session on November 9th, 2023.

Attachments: Attachment A_Ordinance
Attachment B_SUAG Recommendations Presentation
Exhibit 1_Chapter 14_Article IV_V

ORDINANCE 2023-XXX

ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF WAKE
FOREST AMENDING THE WAKE FOREST CODE OF ORDINANCES TO
ESTABLISH A STORMWATER UTILITY FEE

WHEREAS, the purpose of this amendment is to establish a stormwater utility fee; and

WHEREAS, a Stormwater Utility Advisory Group was created consisting of a Planning Board Member, a HOA Property manager, two large business representatives, an Engineer, an active resident, a Downtown Chamber of Commerce member, as well as a small business owner; and

WHEREAS, the Stormwater Utility Advisory Group met six (6) times to develop recommendations on the level of service, capital projects, fee basis and fee credits, residential and non-residential rate structures, and the assessment mechanism of the stormwater utility fee; and

WHEREAS, The Engineering Department and a representative from the Stormwater Utility Advisory Group presented the recommendations to the Board of Commissioners at the November 9th work session; and

WHEREAS, a newspaper notice publication was carried out for the public hearing pursuant to G.S. §160A-314; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest:

Section 1: Adopts the Article IV of Chapter 14 (Exhibit 1).

Section 2: Strikes Article VI of Chapter 32 in its entirety from the Code of Ordinances.

Section 3: Deems the amended Chapter 14 of the Code of Ordinances effective July 1st, 2024.

Adopted and effective this _____ day of _____ 2023.

Vivian A. Jones
Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary
Town Clerk

Hassan Kingsberry
Town Attorney

Stormwater Utility Fee Advisory Group

Recommendations to

Board of Commissioners

November 9th, 2023



TOWN *of*
WAKE FOREST



Stormwater Utility Fee

Fall 2021



- Stormwater Infrastructure Assessment Began



**Spring
2022**

Criticality
Assessment
Complete

**Jan
2023**

Presented at
Annual BOC
Retreat

**Summer
2023**

Stormwater Utility
Advisory Group
Meetings



**Nov
2023**

**Spring
2024**

FY 2024/25

Adopt Ordinance
for Stormwater
Utility Collection

Public Outreach &
Education
Campaign

Stormwater Utility
Fee Implemented



Agenda

- Recap Town's Stormwater Needs
- Stormwater Utility Advisory Group recommendations to Board
- Board action to consider adoption of Stormwater Utility Fee



Motivations for Action on Stormwater Funding

- Regulatory Compliance & Agreements
 - Phase II MS4 (unfunded mandate)
 - FEMA Floodplain Administration
- Storm System Operations & Maintenance
 - Current O&M service level
 - Future service demands
 - Plan for future development
- Capital Improvement Projects
 - Correct known flooding problems
 - Creek erosion
 - Regional solutions
 - Correct water quality problems
 - Greenway system enhancements



Stormwater Management

Operations

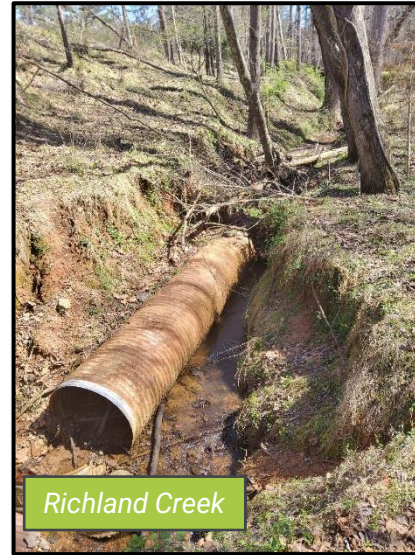
- Street sweeping
- Daily administration
- Plan reviews
- Inspections & compliance
- Household hazardous waste collection
- Inlet/conveyance debris removal
- Channel repair
- Vegetation management
- Hazardous spill management
- Public awareness

Capital Projects

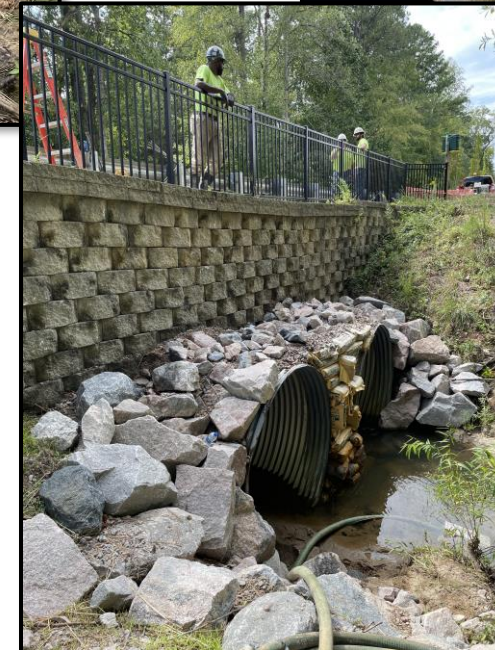
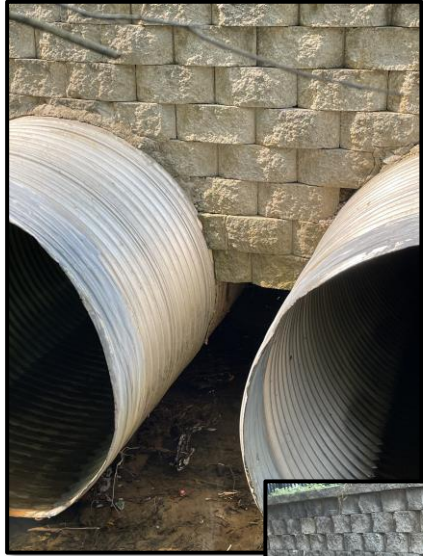
- Flood control
- Creek sediment removal
- Erosion protection
- Channel rehabilitation
- Channel reconstruction
- Repair/reconstruction of roadway at flood prone areas
- Water quality management
- Aeration & aquatic vegetation management
- Bridge & culvert construction



Examples of Stormwater Problems in Wake Forest



E. Juniper Culvert Failure Emergency Repair



Stormwater Advisory Group Purpose

- The purpose of this advisory group is to provide feedback and guidance on the development of a stormwater program with an associated stormwater utility fee. It is a collaborative group made up of residents, business owners, and HOA leaders with a range of backgrounds and interest in protecting the Town's environmental features.

Recommendations
1. Service level
2. Fee structure and rates
3. Fee assessment mechanism



Advisory Group Meeting Attendees

Advisory Group Members

- Mike Almquist – Planning Board Member
- Nicole Clift – Property Management (Traditions and others)
- Andi Curtis – Large Business (WakeMed)
- Juan Montes – McAdams Engineer & TCC Board member
- Nathan Robb – Large Business (Merritt Properties)
- Norman Bell – Villas HOA and engaged senior citizen
- Brian Pate – Downtown Chamber of Commerce
- James Holding – Small Business (Holding Oil)



Advisory Group Meeting Attendees

Town Staff

- Monica Sarna, P.E. – Assistant Engineering Director
- Joseph Guckavan, P.E. – Director of Engineering
- Nick Nolte, EIT – Assistant Stormwater Engineer
- Samantha Sanchez – Finance Director
- Tim Bailey – Public Works Director



Consultants - Freese & Nichols, Inc.

- Trey Shanks – Project Manager, Vice-President/Principal
- Blair Hinkle – Senior Advisor





Stormwater Utility Advisory Group Recommendations to Board of Commissioners

Stormwater Management Service Level

Advisory Group Recommendation

- Stormwater Utility Fee should fund:
 - Existing operations
 - New operations
 - Capital projects

Staff Notes

- Costs developed by staff and Freese and Nichols
- Existing services - \$1,471,000 per year
- New services (staff and equipment) - \$575,000 per year
- Capital improvements - \$10,050,000 backlog
- Includes 5% annual inflation rate (recommended by Finance Department and is consistent with engineering industry standards)

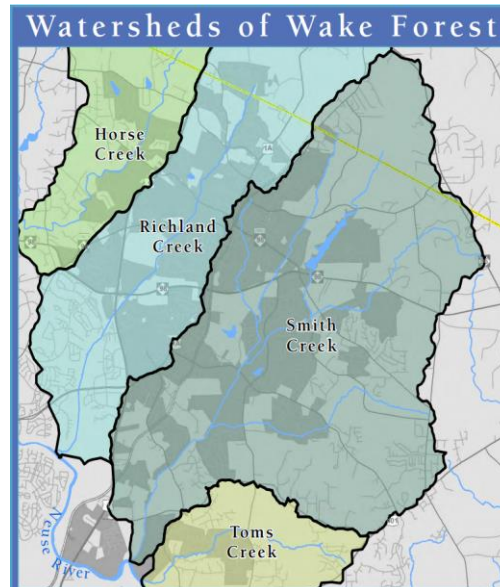
Recommendations
1. Service level
2. Fee structure and rates
3. Fee assessment mechanism



Capital Projects

Group Recommendation

- Annual budget should be based on funding current list of projects over 10-year period



Staff Notes

- Staff concurs with timeline
- Approximately \$10 million backlog of projects based on projects identified as a part of recent studies
- Additional projects are likely to be identified and added to backlog on an ongoing basis as needs are identified

Recommendations

1. Service level

2. Fee structure and rates

3. Fee assessment mechanism

Study Description	Projected Capital Costs	
Richland Creek Erosion Study	\$	3,150,000
2015 Smith Creek Study	\$	3,100,000
Horse Creek Study	\$	2,850,000
Toms Creek Study	\$	950,000
TOTAL		\$ 10,050,000



Fee Basis and Fee Credits

Group Recommendation

- **Impervious Area** should be used as basis for fee since it reflects use of the stormwater system
- Fee Credits will be developed to help customers that exceed minimum standards

Staff Notes

- Staff will continue to develop specific fee credit program in future in coordination with stormwater quality design standards update

Recommendations

1. Service level
2. Fee structure and rates
3. Fee assessment mechanism

Note: Impervious Area includes any material which reduces and/or prevents absorption of storm water (i.e. asphalt, roofs, concrete, gravel, etc.)



Residential and Non-Residential Rate Structures

Group Recommendation

- Residential
 - 3 **Tiers** based on impervious area
- Non-Residential
 - Incremental units of 1,200 square feet of impervious area

Staff Notes

- Tiered structure consistent with other stormwater utility fees in North Carolina
- Non-residential includes multifamily (5 or more residential units), industrial, commercial, retail, government, non-profit

Recommendations
1. Service level
2. Fee structure and rates
3. Fee assessment mechanism

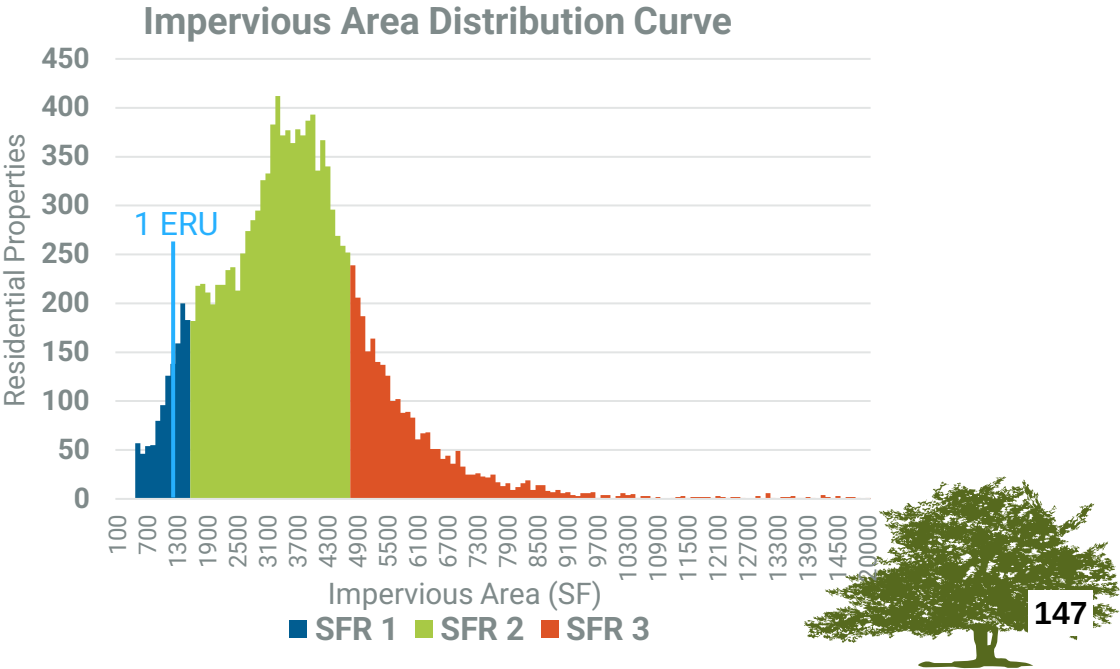


Residential and Non-Residential Rates

Residential Tier	% in Tier	ERUs	Rate (per year)	SF Break
Tier 1	10%	1.00	\$45	<1,500
Tier 2	70%	2.75	\$125	1,500 - 4,700
Tier 3	20%	5.25	\$235	>4,700

Non-Residential	Rate/ERU (per year)
Per ERU (1,200 sf of Impervious Area*)	\$45

*1,200 sf is the average impervious area of a property in Tier 1



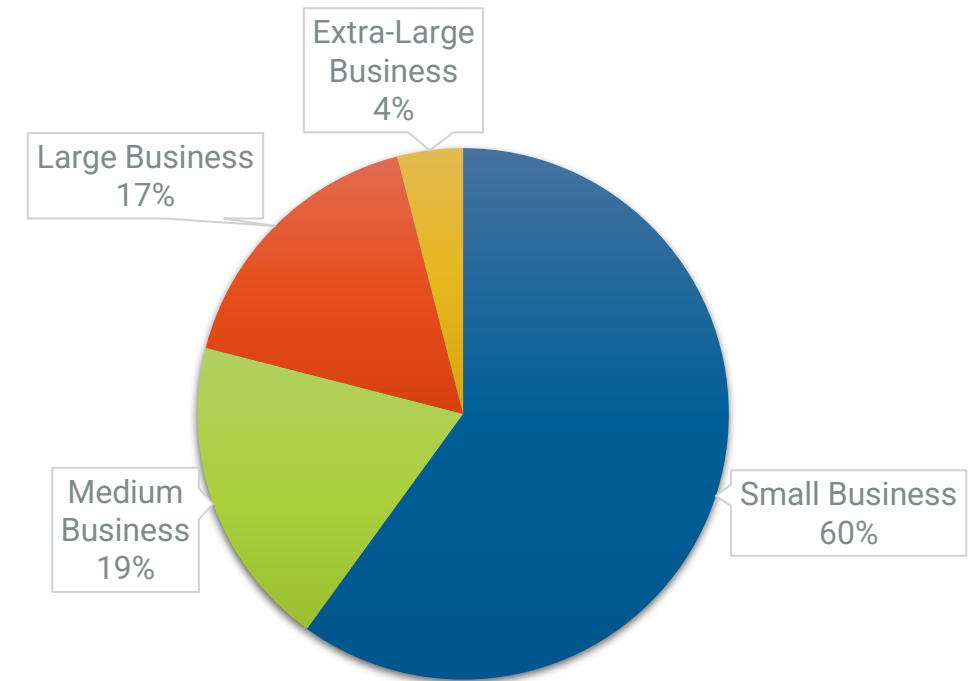
Non-Residential Fee Breakdown

Non-Residential Tier	Example Rate Range (per year)	ERU Range	Example
Small Business	Under \$1,000	1 - 22	Gas Station
Medium Business	\$1,000-\$2,000	23 - 44	Bank
Large Business	\$2,000-\$10,000	45 - 222	Grocery Store
Extra-Large Business	Over \$10,000	223 +	Big-Box Store

- 25% of Non-Residential fees are 1-2 ERUs and will pay less than \$100/year
- 10% of Non-Residential fees are 3-4 ERUs and will pay between \$100/year and \$200/year

Recommendations

1. Service level
2. Fee structure and rates
3. Fee assessment mechanism



Stormwater Utility Fee Assessment Mechanism

Group Recommendation

- Parcels should be charged yearly on tax bill

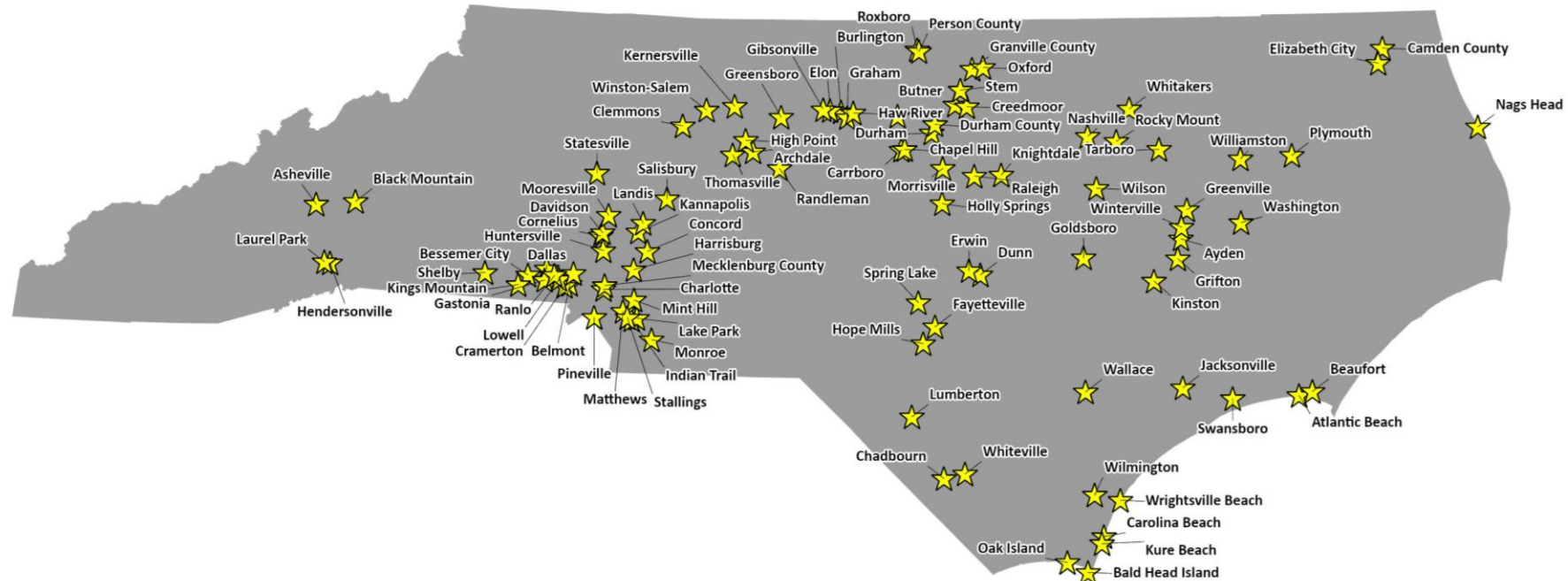
Staff Notes

- Staff agrees with tax bill recommendation

Recommendations
1. Service level
2. Fee structure and rates
3. Fee assessment mechanism



Stormwater Utility Fees in North Carolina



- Over 100 municipalities in North Carolina have Stormwater Utility Fees



Next Steps

- November 21st BOC Meeting will include the consideration of the approval of an ordinance for the Stormwater Utility Fee and Enterprise Fund
- January 2024 the Town will begin coordination with Wake/Franklin County for fee assessment
- Public education and outreach will begin early 2024
- FY 24/25 budget will include the stormwater fee structure
- Fee will be included in the tax bills



ARTICLE IV. STORMWATER UTILITY

Sec. 14-75. Purpose.

A stormwater utility enterprise fund is hereby created as an identified fiscal and accounting fund for the purpose of comprehensively addressing the stormwater management program needs of the town. The town's stormwater management needs are met:

- (1) Through programs designed to protect and manage water quality and quantity by controlling the level of pollutants in stormwater runoff and the quantity and rate of stormwater received and conveyed by structural and natural stormwater and drainage systems of all types;
- (2) By establishing a schedule of charges;
- (3) By defining the control, collection, and disbursement of funds; and
- (4) By setting forth penalties, methods of appeals and exemptions.

The public enterprise shall be referred to as the Wake Forest Stormwater Utility.

Sec. 14-76. Authority.

This article is adopted pursuant to the authority granted to the town by G.S. 160A-314.

Sec. 14-77. Definitions.

Unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most effective application. Words used in singular shall include the plural and the plural of the singular; words used in the present tense shall include the future tense. The word "shall" denotes mandatory and not discretionary; the word "may" is permissive.

Customer. A person(s), property owner, or entity to which the stormwater utility fee is billed and/or receives a bill from town for other services provided by the town.

Customer, non-residential. A non-residential, including multifamily, industrial, commercial, retail, government, or non-profit organizations, property, or portion of property, containing impervious area.

Customer, residential. A non-commercial single-family use.

Developed property. Real property which has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures, or other impervious surfaces.

Drainage. The flow of stormwater runoff into a conveyance.

Drainage system. Natural and structural channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.

Due notice. Notice given by posting where appropriate not less than 7 days before the date of the event of which the notice is being given.

PART II - CODE OF ORDINANCES
Chapter 14 - ENVIRONMENT
ARTICLE IV. STORMWATER UTILITY
ARTICLE V. ILLICIT STORMWATER DISCHARGE

Easement. A grant of rights by a property owner to a portion of land for a specified purpose as defined in a recorded deed, as delineated on a recorded plat, or as established in another legal document.

Equivalent residential unit (ERU). For the purposes of this chapter, means 1,200 square feet of impervious surface, which is the average amount of impervious surface within and/or on an average single-family property in the town.

Exemption. Not applying or removing the application of the stormwater utility fee service charge from a property. No permanent exemption shall be granted based on taxable or nontaxable status or economic status of the property owner.

Impervious area. The amount of impervious surface on a property.

Impervious surface. Includes any material which reduces and/or prevents absorption of storm water. This includes but is not limited to, buildings, roads, pavement, gravel surfaces, etc. Open bodies of water, a wooden slatted deck, or other material defined as pervious per the NCDEQ Minimum Design Criteria (MDC) are not considered impervious surfaces for the purpose of this article.

Improved property. Developed land that has 400 square feet or greater impervious surface. *National pollutant discharge elimination system (NPDES).* A permitting system established by Section 402 of the Clean Water Act et seq. Federal law reference: National Pollutant Discharge Elimination System Permits, 33 USC Section 1342. NPDES stormwater discharge permits are issued by the state under delegation from the EPA for discharges directly to the surface waters of the state pursuant to G.S. 143-215.1.

Non-residential developed land. All non-residential land uses including, but not limited to, churches, institutional buildings, whether public or private; hospitals, rest homes, public and private schools, colleges and universities, dormitories, commercial, retail, office, hotels and motels, industrial buildings, storage areas, and parking lots or other impervious surfaces.

Property owner or owner. The owner of a parcel of land as shown on the county tax records.

Revenues All fees, charges, penalties, or other income received by the stormwater utility program enterprise fund, including but not limited to amounts received from the investment or deposit of monies into any fund or account, and all amounts received as gifts or donations, and the proceeds from the sale of bonds to finance the stormwater utility, or any other type of funds derived from grants, fees or loans which by purpose or effect relate to stormwater management activities.

Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation, regardless of amount of precipitation or time of precipitation event.

Stormwater utility The various methods employed by the town to manage stormwater and comply with its NPDES stormwater discharge permit.

Stormwater utility fee. The yearly monetary amount charged each parcel of real property for the services provided by the stormwater utility as set forth in the town schedule of rates and fees.

Undeveloped land. All land that is not altered from its natural state to an extent that results in 400 or more square feet of impervious surface area.

Sec. 14-78. Establishment of the stormwater utility enterprise fund.

The Board of Commissioners (BOC) hereby establishes a town stormwater utility enterprise fund for the purpose of dedicating and protecting funding to carry out the responsibilities of the stormwater utility. This includes, but is not limited to, fees, charges, and penalties as may be established, after due notice and a public hearing for stormwater utility enterprise fund. Funding may also include other funds transferred or allocated to the stormwater utility enterprise fund by the BOC. All revenues and receipts of the stormwater utility shall be placed in the stormwater utility enterprise fund and the expenses of the stormwater utility shall be paid from the stormwater utility enterprise fund. This article shall apply to all property within the corporate limits of the Town of Wake Forest. The Town may use other budgeted funds that are not stormwater utility funds to provide stormwater services.

Sec. 14-79. Interpretation and administration of this article.

The Town Manager or their designee shall be responsible for the interpretation and administration of this article that includes, but is not limited to, the calculation of fees, adjustments, and other interpretations as necessary with the exception of billing and collection of fees as described in this article.

Sec. 14-80. Impervious surface and equivalent residential unit (ERU).

- (a) Impervious surface area is an improvement on any part of land that prevents or significantly impedes the infiltration of stormwater into the soil. By way of example and not limitation, typical impervious surface areas include roofs, sidewalks, walkways, patios, private driveways, parking lots, access extensions, alleys and other paved, engineered, compacted or gravel surfaces containing materials that prevent or significantly impede the natural infiltration of stormwater into the soil.
- (b) The amount of impervious surface area of real property is a key factor in the peak rate of stormwater runoff and the pollutant loadings of stormwater runoff discharged to the structural and natural drainage systems and facilities. Therefore, the amount of impervious surface area shall be the primary parameter for establishing the rate structure to distribute the cost of the program through a schedule of rates, fees, charges and/or penalties, to all Customers that own or occupy improved property.
- (c)
- (c) For the purposes of tracking improvements and modifications to impervious surface. The Town will evaluate impervious surface square footages by parcel every four (4) years.

Sec. 14-81. Stormwater utility fee schedule.

- (a) The yearly charges for town stormwater utility fee services shall vary according to the residential tier or non-residential parcel impervious surface area and be incorporated into annual fee schedule. Each single-family residence will be sorted into a tier based on the amount of impervious area on the parcel. Non-residential parcels shall be billed according to the number of equivalent residential units (ERUs) present on the parcel, in whole increments, as determined by analysis of impervious surface.
- (c) Other fees, charges and penalties may be adopted from time to time by the BOC incidental to the purposes of stormwater utility as provided in G.S. 160A-314.

PART II - CODE OF ORDINANCES
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ARTICLE IV. STORMWATER UTILITY
ARTICLE V. ILLICIT STORMWATER DISCHARGE

- (d) Tiers and rates shall be set annually by the Town Manager or designee in the amount to ensure that the total fees collected by the town through the stormwater utility fee do not exceed the cost of providing the stormwater utility.

Sec. 14-82. Stormwater utility fee billing and collection.

- (a) Payment for stormwater utility fees, charges, and penalties are the obligation of the property owner and shall be billed on a yearly basis with the property tax bill.
- (b) Bills for stormwater utility fee shall be sent at the same frequency as the yearly tax bill. Billing and collection of stormwater utility fees, charges, and penalties shall be administered in coordination with County Tax Administration and Wake Forest Finance Department. The Finance Department is hereby authorized to develop policies and procedures to effectuate the purpose, intent and billing needs of this section.

Sec. 14-83. Disposition and application of fees.

Stormwater utility fee and fee revenues shall be assigned and dedicated solely to the stormwater utility enterprise fund in the town budget and accounting system, which shall be and remain separate from other funds, and shall be used only to fund stormwater utility activities. The fees paid to and collected by the town by virtue of the provision of this article shall not be used for general or other governmental or proprietary purposes of the town, except to pay for costs incurred by the town in rendering services associated with the stormwater utility.

Sec. 14-84. Credits and exemptions.

Except as provided in this article, there shall be no exception, credit, offset, or other reduction in stormwater utility fees or service charges granted based upon age, race, tax status, economic status, or religion of the customer, or other condition unrelated to the stormwater utility's cost of providing stormwater program services and facilities, with the following exceptions:

- (1) The Director of Engineering will consider the adoption of fee credits for development that meets or exceeds minimum qualifying criteria developed by the Town. The total amount of credit shall be recommended by the Director of Engineering, based upon review of the criteria.
- (2) Improved public right of way and greenways.
- (3) Properties and facilities owned and operated by the Town.
- (4) Undeveloped land and properties with fewer than 400 square feet of impervious surface.

Sec. 14-85. Limitations of responsibility.

- (a) The town shall be responsible only for the portions of the drainage system which are located within the corporate limits of the town, have been accepted by the town, and are actively maintained by the town. This includes street rights-of-way and permanent public storm drainage easements which have been conveyed to and accepted by the town.
- (b) The town's acquisition of permanent storm drainage easements and/or the construction or repair by the town of drainage facilities does not constitute a warranty against stormwater hazards, including but not limited to flooding, erosion or standing water.

ARTICLE V. ILLICIT STORMWATER DISCHARGE

Sec. 14-86. Short title.

This article shall be known as the "Illicit Stormwater Discharge Ordinance for the Town of Wake Forest, North Carolina."

(Ord. No. 2003-45, 11-18-03)

Sec. 14-87. Definitions.

Unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most effective application. Words used in singular shall include the plural and the plural of the singular; words used in the present tense shall include the future tense. The word "shall" denotes mandatory and not discretionary; the word "may" is permissive.

Adverse impacts. Any modifications, alterations or effects on a feature or characteristic of community waters or wetlands, including their quality, quantity, hydrodynamics, surface area, species composition, living resources, aesthetics or usefulness for human or natural uses which are or may potentially be harmful.

Authorized enforcement agency. Employees or designees of the Town of Wake Forest.

Best management practices (BMPs). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and education practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or storm water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. and 1251 et. seq.) And any subsequent amendments thereto.

Community of waters. See "Waters."

Connection. Any physical common joining including devices that are natural, constructed, installed, fabricated, shaped, redirected, sloped, pumped, drained connection including methods by artificial or natural means, and located either above surface, at surface, or sub-surface locations, and from either indoor, outside, and moveable sources of origination and including spills.

Construction activity. Activities subject to NPDES construction permits. These include construction permits resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Drainage facility. Any component of the drainage system.

Drainage system. System through which water flows from the land, including piping, watercourses, water bodies, and wetlands.

Excluded stormwater system discharge category. The following categories or potential discharges to the stormwater system are not be considered:

- (1) Water line flushing.
- (2) Landscape and lawn irrigation water.
- (3) Diverted stream flows.
- (4) Rising ground waters.
- (5) Uncontaminated ground water infiltration (as defined at 40 CPR 35.2005(20)).
- (6) Uncontaminated pumped ground water.
- (7) Discharges from potable water source.
- (8) Air conditioning condensation.
- (9) Springs.
- (10) Water from crawl space pumps.
- (11) Individual residential car washing.
- (12) Flows from riparian habitats and wetlands.
- (13) De-chlorinated swimming pool discharges.
- (14) Street wash water.
- (15) Foundation or footing drains (not including active groundwater dewatering systems).
- (16) Other water source discharge not containing pollutants.
- (17) Discharges or flows from fire fighting activities only used to be addressed where they are identified as significant sources of pollutants.

Flood. Temporary rise in the level of any water body, watercourse or wetland which results in the inundation of areas not ordinarily covered by water.

Hazardous materials. Any material including any substances, waste or combination thereof, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illicit connection. Any unlawful connection, which allows the discharge of non-stormwater to the stormwater conveyance system or waters of the state in violation of this article, regardless of whether said conveyance system or connection had been previously allowed, permitted, or approved by the town or including whether any conveyance system or connection to the stormwater drain system which has not been documented in plans, map or equivalent records and approved by the town for a private, residential, commercial, industrial or public land use.

Illegal discharge. Any unlawful direct or indirect non-stormwater discharge, disposal, placement, emptying, dumping, spillage, leakage, pumping, pouring, emission, or other discharge of any substances other than stormwater into the municipal separate storm sewer system (MS4), that is not composed entirely of stormwater and, except discharges pursuant to a current NPDES permit, discharges resulting from fire fighting activities, and excluded discharge categories, such that the substance is likely to reach a stormwater conveyance or the waters of the state. These illicit stormwater discharges may include earth, fluid, solid, gas, or other substances, other than stormwater, provided that non-stormwater discharges associated with an excluded stormwater system discharge category may significantly impact water quality.

Industrial activity. Activities subject to NPDES industrial permits as defined in 40 CFR, section 122.23 (b)(14).

MS4. Municipal separate storm sewer system.

Municipal separate storm sewer system. (MS4). A separate conveyance system, constructed or present, to convey stormwater drainage, separately from other wastes systems such as sewer systems, through the use of ditches, swales, pipes, culverts, over-land drainage, surface and subsurface flows.

National pollutant discharge elimination system (NPDES) stormwater discharge permit. A permit issued by EPA (or a state under authority delegated pursuant to 33 U.S.C. & 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Natural systems. Those communities of plants, animals, bacteria and other flora and fauna that occur indigenously on the land, in the soil or in the water.

Non-stormwater discharge. Any discharge to the stormwater drain system that is not composed entirely of stormwater.

NPDES Phase II Regulations. Federal register part II 40 CFR parts 9, 122, 123 and 124 the "National Pollutant Discharge System - Regulations for Revision of the Water Pollution Control Program Addressing Stormwater Discharge."

Person. Person means any and all persons, includes any individual, firm, corporation, government agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

Pollutant. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to paints, varnishes and solvents, oil and other automotive fluids, non-hazardous liquid and solid wastes and yard wastes, refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations that may cause or contribute to pollution, floatables, pesticides, herbicides, and fertilizers, hazardous substances and wastes, sewage, fecal coliform and pathogens, dissolved and particulate metals, animal wastes, wastes and residues that result from constructing a building or structure, and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Receiving bodies of water. Water bodies, watercourses or wetlands into which surface waters flow either naturally, in manmade ditches, or in a closed conduit system.

Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation, regardless of amount of precipitation or time of precipitation event.

Stormwater drainage system. Facilities by which stormwater is collected and/or conveyed including but not limited to any roads with drainage systems, streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and manmade or altered drainage channels, reservoirs, and other drainage structures.

Stormwater pollution prevention plan. A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

Wastewater. Means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Water body. Natural or artificial pond, lake, reservoir or other area which ordinarily or intermittently contains water and which has a discernable shoreline.

Watercourse. Any natural or artificial stream, river, creek, channel, ditch, canal, conduit, culvert drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite direction, either continuously or intermittently, and which has a definite channel, bed or banks.

Waters or community of waters. Water on or beneath the surface of the ground including watercourses, water body, or drainage system, including diffused surface water and water percolating, standing or flowing beneath the surface of the ground.

Waters of the state. Surface waters within or flowing through the boundaries of the state including any intermittent or perennial stream, river, creek, brook, swamp, lake, sound, tidal estuary bay, reservoir, wetland, or any other surface water or any portion thereof that is mapped as solid or dashed blue lines on United States Department of Interior Geological Survey 7.5 minute series topographic maps. Treatment systems, consisting of manmade bodies of water, which were not originally created in waters of the state and which are not the result of impoundment of waters of the state, are not waters of the state.

Wetlands. Those areas where:

- (1) The soil is ordinarily saturated with water; or
- (2) The dominant plant community is one or more of those species designated by the U. S. Army Corps of Engineers as identifying wetlands or the transitional zone of wetlands; or
- (3) The presence of one or more of those plant species designated by the North Carolina Division of Coastal Management as identifying coastal wetlands or the transitional zone of coastal wetlands.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-88. Findings of facts.

The board of commissioners finds that the discharge of non-stormwater drainage to waters of the state and to the municipal storm drainage system could have significant adverse impact upon health, safety, and welfare of the community. More specifically:

- (1) Illicit stormwater discharges carry pollutants into receiving water bodies, degrading water quality and effect in closures of shell fishing water.
- (2) A nutrient such as phosphorus or nitrogen accelerates eutrophication of receiving waters, adversely affecting flora and fauna.
- (3) Improper connection to the storm drain system and to waters of the state adversely impacts quality of receiving waters.
- (4) Septic tank discharges from non-compliant systems, washing machine discharges, and illegal dumping into the stormwater drains are examples of illicit discharges.
- (5) The town must have the authority to deter and/or stop illicit discharges to stormwater drains and ditches.
- (6) Substantial economic losses result from these adverse impacts on community waters.
- (7) Illicit discharges to water bodies diminish their capacity to naturally process runoff nutrients, thereby harming flora and fauna.
- (8) Increase of illicit discharge to waters can percolate into the soil, thereby decreasing groundwater quality.

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- (9) Improperly managed stormwater systems can decrease the quality of property and human life.
 - (10) Improperly managed stormwater drainage systems can interfere with the maintenance of optimum estuarine areas and biological productivity.
 - (11) Many future problems can be avoided if land is developed in accordance with an illicit stormwater discharge ordinance.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-89. Objectives.

- (a) The purpose of this article to provide for the health, safety, and general welfare of the people of the town through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This article establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.
- (b) In order to protect, maintain, and enhance both the immediate and the long-term health, safety and general welfare of the town, this article has the following objectives:
 - (1) To obtain the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user.
 - (2) To prohibit illicit connections and discharges to the municipal separate storm sewer system (MS4).
 - (3) To establish legal authority to carry out all inspections, surveillances, and monitoring procedures necessary to ensure compliance with this article.
 - (4) To encourage productive and enjoyable harmony between humanity and nature.
 - (5) To protect and maintain the chemical, physical, and biological integrity of any and all waters.
 - (6) To prevent individuals and organizations from causing harm to the community by activities which adversely affect water resources.
 - (7) To encourage the maintenance and construction of drainage systems which aesthetically and functionally approximate natural systems.
 - (8) To encourage town occupants to be aware of potential sources of illicit discharges, so they can better manage their actions in the environment.
 - (9) To protect natural systems and their uses in ways that do not impair their beneficial functioning.
 - (10) To increase and maintain the quality of groundwater sources.
 - (11) To protect and maintain estuarine areas.
 - (12) To prevent damage to waters, including wetlands and groundwater systems.
 - (13) To protect and maintain fish and wildlife habitats.
 - (14) To ensure the attainment of these objectives by requiring the approval and implementation of the Illicit Stormwater Discharge Ordinance.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-90. Applicability.

- (a) This article shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly excepted by the town, as an excluded discharge category.
- (b) Stormwater discharge, occurring after the effective date of November 18, 2003, within the town, must comply with the Illicit Stormwater Discharge Ordinance. All persons must take appropriate actions and measures, as defined in this Illicit Stormwater Discharge Ordinance, and all other town ordinances, regulations and laws, to stop all illicit stormwater discharges that may occur on their property and, if necessary, ensure appropriate corrective measures are taken on any existing known, noted or observed non-compliant items including: discharges, connections, activities, or actions.
- (c) All persons shall address present non-complying illicit stormwater discharges including the following possible occurrences:
 - (1) Connections to a stormwater conveyance or stormwater conveyance system, which allows the discharge of non-stormwater, other than excluded discharge category, are unlawful. Prohibited discharges include, but are not limited to:
 - a. Floor drains.
 - b. Waste water from washing machines.
 - c. Waste water from sanitary sewers.
 - d. Wash water from commercial vehicle washing or steam cleaning.
 - e. Connection of drainage leaders from structures.
 - f. Failed or failing wastewater disposal fields.
 - g. Illicit discharge resulting from household pet waste.
 - h. Illicit discharge resulting from lawn care products including excessive fertilizers, lawn/landscape chemical treatments.
 - i. Disposal of household hazardous pollutants.
 - j. Abandoned water wells.
 - (2) Where such connections exist and said connections were made prior to the adoption of this provision or any other ordinance prohibiting such connections, the property owner or the person using said connection shall remove the connection within one (1) year following application of this regulation.
 - (3) The one-year grace period shall not apply to connections which may result in the discharge of hazardous materials or other discharges which pose any immediate threat to health and safety; are likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat; or were made in violation of any applicable regulation or ordinance.
 - (4) The town shall designate the time within which the connection shall be removed. In setting the time limit for compliance, the town shall take into consideration:
 - a. The quantity and complexity of the work.
 - b. The consequences of delay.
 - c. The potential harm to the environment, to the public health, and to public and private property; and
 - d. The cost of remedying the damage.

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- (5) Unless exempted pursuant to subsection (6) or granted a variance pursuant to subsection (6), a corrective plan must be submitted and corrected action to remedy an identified illicit stormwater discharge taken before:
- a. A plat is recorded or land is subdivided; or
 - b. An existing drainage system is altered, rerouted, or deepened; or
 - c. A new building permit is issued.
- (6) Exemptions: The following development activities are exempt from the Illicit Stormwater Discharge Ordinance Plan requirement.
- a. Agricultural activity not involving the artificial drainage of land.
 - b. Variances. The town may grant a written variance from any requirement of this article using the following criteria:
 1. There are special circumstances applicable to the subject property of its intended use; and
 2. The granting of the variance will not:
 - (i) Significantly increase or decrease the rate of illicit stormwater discharge or pollutants.
 - (ii) Have a significant adverse impact on the area "404 wetland", watercourse or water body.
 - (iii) Significantly contribute to the degradation of water quality.
 - (iv) Otherwise significantly impair attainment of the objectives of this article.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-91. Responsibility for administration

The town shall administer, implement, and enforce the provisions of this article. Any powers granted or duties imposed upon the town may be delegated in writing to persons or entities acting in the beneficial interest of the town.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-92. Ultimate responsibility.

The standards set forth herein and promulgated pursuant to this article are minimum standards; therefore this article does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-93. Watercourse protection.

Every person owning property through which a watercourse passes or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a

watercourse so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-94. Requirements to prevent, control and reduce stormwater pollutants by the use of best management practices.

The town will adopt requirements identifying best management practices for any activity, operation, or property that may cause or contribute to pollution or contamination of stormwater, the stormwater drain system, or waters of the United States. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the stormwater drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the stormwater drain system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity to the extent practicable, shall be deemed in compliance with the provisions of this section. These BMPs shall be part of a stormwater management plan as necessary for compliance with requirements of the NPDES permit.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-95. Permitted discharge activity.

Any person subject to an NPDES stormwater discharge permit (including construction activity, land disturbance permit, industrial NPDES permit or other NPDES Permit) shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the town prior to the allowing of discharges to the stormwater drain system.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-96. Discharge prohibitions.

- (a) *Prohibition of illegal discharge.* No person shall discharge or cause to be discharged into the stormwater drain system or watercourses any materials, including but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.

The commencement, conduct or continuance of any illegal discharge to the stormwater drain system is prohibited except as described as follows:

- (1) The following discharges are exempt from discharge prohibitions established by this article.
 - a. Rising ground water.
 - b. Uncontaminated pumped ground water.
 - c. Foundation or footing drains (not including active groundwater dewatering systems).
 - d. Crawl space pumps.
 - e. Other water source not containing pollutants.
- (2) Discharges specified in writing by the town as being necessary to protect public health and safety.

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- (3) Dye testing is an allowable discharge but requires a verbal notification to the town prior to the time of the test.
 - (4) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the persons and administered under the compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the stormwater drain system.
- (b) *Prohibition of illicit connections.*
- (1) The construction, use, maintenance, or continued existence of illicit connections to the stormwater drain system is prohibited.
 - (2) This prohibition expressly includes, without limitation, connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - (3) A person is considered to be in violation of this article if the person conveys non-stormwater to the stormwater drain system, or allows such a connection to continue.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-97. Monitoring of discharge.

- (a) This section applies to all properties that have stormwater discharges.
- (b) Access to properties.
 - (1) The town shall be permitted to enter and inspect property subject to regulation under this article as often as may be necessary to determine compliance with this article. If a discharger has security measures in force, which require proper identification and clearance before entry onto property, the discharger shall make the necessary arrangements to allow access to representatives of the town.
 - (2) Existing NPDES permit operators shall allow the town ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
 - (3) The town has the right to establish on any permitted property such devices as are necessary in the opinion of the town to conduct monitoring and/or sampling of the stormwater discharge from the property. Sampling may include turbidity, coliform, nutrients, suspended solids. Other testing devices of existing systems may include video recording, dye testing, etc.
 - (4) The town has the right to require NPDES permittees discharging stormwater to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at their expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
 - (5) Any temporary or permanent obstruction to safe and easy access to the property to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the town and shall not be replaced. The cost of clearing such access shall be born by the person.
 - (6) Unreasonable delays in allowing the town access to a permitted property is a violation of a stormwater discharge permit and of this article. A person who is the operator of a property with an NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the town reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this article.

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(Supp. No. 17)

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- (7) If the town has been refused access to any part of the premises from which stormwater is discharged, and is able to demonstrate probable cause to believe that there may be a violation of this article, or that there is a need to inspect and/or sample as part of a routine inspecting and sampling program designed to verify compliance with this article or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the town may seek issuance of a search warrant from any court of competent jurisdiction.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-98. Suspension of stormwater drain access.

- (a) *Suspension due to illicit discharge in emergency situations.* The town may, without prior notice, suspend stormwater drain discharge access to a person or business when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the stormwater drain system or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the town may take such steps as deemed necessary to prevent or minimize damage to the stormwater drain system or waters of the United States, or to minimize danger to persons.
- (b) *Suspension due to the detection of illicit discharge.*
- (1) Any person discharging to the stormwater drain system in violation of the article may have their stormwater drain access terminated if such termination would abate or reduce an illicit discharge. The town will notify a violator of the proposed termination of its stormwater drain access. The violator may petition the town for a reconsideration and hearing.
- (2) A person commits an offense if the person reinstates stormwater drain access to premises terminated pursuant to this section, without the prior approval of the town.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-99. Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into stormwater, the stormwater drain system, or waters of the United States said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies, town police, fire rescue, and town offices, of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the town in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the town within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-100. Enforcement.

- (a) *Nuisance.* Any activity that is commenced without acceptance of the Illicit Stormwater Discharge Ordinance or is conducted contrary to an approved plan as required by this article, shall be deemed a public nuisance and may be restrained by injunction or otherwise abated in a manner provided by law.
- (b) *Violation notification.* When the town determines that an activity is not being carried out in accordance with the requirements of this article, the town will issue a written notice of violation, to the owner of the property. The notice of violation shall contain:
 - (1) The name and address of the owner or applicant.
 - (2) The street address when available or a description of the building structure, or land upon which the violation is occurring.
 - (3) A statement specifying the nature of the violation.
 - (4) A description of the remedial actions necessary to bring the development activity into compliance with this article and a time schedule for completion of such remedial action.
 - (5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed.
 - (6) The notice of violation shall be served up on the person(s) to whom it is directed either personally, in the manner provided for personal service of notices by the court of local jurisdiction or by mailing a copy of the notice of violation by certified mail, postage prepaid, return receipt requested to such person at person's last known address.
- (c) *Civil and criminal penalties.* In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provision of this article shall be punished by a fine of not less than \$100.00 nor more than \$1,000.00 or by imprisonment in the county jail for a period not to exceed 60 days, or by both such fine and imprisonment. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.
- (d) *Costs for restoration, corrective action, abatement, and monitoring.* Any violator may be required to restore land to its undisturbed condition. Notice shall set forth a deadline within which such remediation or restoration must be completed. In the event that restoration is not undertaken within a reasonable time after notice, the town may take necessary corrective action, the cost of which shall become a lien upon the property until paid. Costs to the property owner may include:
 - (1) The performance of monitoring, analysis, and reporting.
 - (2) The elimination of illicit connections or discharges.
 - (3) That violating discharges, practices, or operations shall cease and desist.
 - (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property.
 - (5) Payment of costs for town administrative and remediation costs.
 - (6) Town's cost if they implement source control or treatment BMPs.

If abatement of a violation and/or restoration of effected property is required, the said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the town or a contractor will do the work and the expense thereof shall be charged to the violator.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-101. Appeal of notice of violation.

A notice of violation issued pursuant to this section constitutes a determination from which administrative appeal may be taken to the town council. A statement will be issued that the town's determination of violation may be appealed to the town council by filing a written notice of appeal within 15 days of service of notice of violation. The decision of the town or designee shall be final.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-102. Enforcement measures after appeal.

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal within 15 days of the decision of the town upholding the violation, representatives of the town may enter upon the subject property to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, or agent in possession of any premises to refuse to allow the town or their designated contractor to enter upon the premises for the purposes set forth above.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-103. Injunctive relief.

It shall be unlawful for any person to violate any provisions or fail to comply with any of the requirements of this article. If a person has violated or continues to violate the provisions of this article, the town may petition for a preliminary or permanent injunction restraining the person from activities which would create further violation or compelling the person to perform abatement or remediation of the violation.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-104. Alternative compensatory action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this article, the town may impose alternative compensatory action upon a violator. Alternative compensatory action will be established in equitable measures and may include items such as:

- (1) Community service.
- (2) Attendance at compliance workshops.
- (3) Public education efforts.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-105. Violations deemed a public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-106. Criminal prosecution.

- (a) Any person that has violated or continues to violate this article shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty cost, per each day of violation, and/or imprisonment for a period of time not to exceed statutory limits.
- (b) The town may recover all attorney's fees, court costs, and other expenses associated with enforcement of this article, including sampling and monitoring expenses.

(Ord. No. 2003-45, 11-18-03)

Sec. 14-107. Remedies not exclusive.

The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the town to seek cumulative remedies.

(Ord. No. 2003-45, 11-18-03)



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-260-
Submitted by: Courtney Tanner
Submitting Department: Planning
Meeting Date: November 21, 2023

SUBJECT

Public Hearing on Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

Recommendation:

Item Summary:

ATTACHMENTS

- [Agenda Summary](#)
- [2023-260 Staff Report.pdf](#)
- [Attachment A - Application.pdf](#)
- [Attachment B - Maps.pdf](#)
- [Attachment C - Proposed Community Plan Amendments.pdf](#)
- [Ordinance.docx](#)
- [Exhibit 1 - Amended Wake Forest Community Plan.pdf](#)
- [Exhibit 2 - Plan Revisions.pdf](#)

Agenda Item: Public Hearing on Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

Summary: Due to a recent update to the Wake Forest/Raleigh Utility Merger Agreement, an amendment to the Community Plan is necessary to provide guidance to the Town as to the appropriate zoning should a property owner request municipal water and/or sewer. Failure to approve this amendment could result in incompatible residential or commercial development. This proposed amendment does not annex or rezone any parcel of land. Additionally, this proposed amendment will not extend the Town's ETJ.

The Planning Board forwarded a recommendation of denial with a vote of 4-1. The Board went on further to state that the Board of Commissioners should consider adding a land use option that is more rural than Conventional Residential to the Community Plan if the Community Plan is amended.

Staff presented this item at the November 9, 2023 Board of Commissioners Work Session.

Attachments: See Staff Report



Staff Report

CPA-23-03: Comprehensive Plan Amendment

Meeting Date	November 21, 2023
Requested Actions	Consideration a Request to Amend the following: 1. Land Use Map in the Community Plan to include the area in the vicinity of Oak Grove Church Road as Conventional Residential. 2. Residential Areas Plan text in the Community Plan by adding the Oak Grove Church Road & Gilcrest Farm Road description. 3. Residential Areas Plan map in the Community Plan to include the parcels in vicinity of Oak Grove Church Road as Future Conventional Residential.
Case Manager	Courtney Tanner, Planning Director
Planning Board Recommendation	The Board forwarded a recommendation of denial with a vote of 4-1. The Board went on further to state that the Board of Commissioners should consider adding a land use option that is more rural than Conventional Residential to the Community Plan if the Community Plan is amended.

PUBLIC MEETINGS

Public Comment Session	Public Hearing
10/10/2023	11/21/2023

CASE INFORMATION

Applicant	Town of Wake Forest 301 South Brooks Street Wake Forest, NC 27587
Location	East of Gilcrest Farm Road, South of the Wake County Line, and along Oak Grove Church Road
Wake County PIN(s)	1851946713, 1851725939, 1851838214, 1851630250, 1851849241, 1861042033, 1851756902, 1851858546, 1851952427, 1851832345, 1861043146, 1851835341, 1851835834, 1851832890, 1851738883, 1851736844, 1851734809, 1851626527, 1851639632, 1851639337, 1851731760, 1851738442, 1861044544, 1861047643, 1851729434, 1851733101, 1851639098, 1851619814, 1851821839, 1851722524, 1861049618, 1851946441, 1851949309, 1851720521, 1851622872,

	1851947195, 1861030871, 1851724522, 1851729905, 1851730942, 1851459139, 1851948585, 1851636043, 1851632953, 1851746585, 1851526899, 1851945132, 1851527384, 1851620274, 1851944628, 1851736204, 1851826512, 1851933875, 1851930299, 1851522495, 1851946294, 1851933386, 1851936485, 1851930479, 1861040720, 1851614809, 1851938927, 1851943111, 1851726510, 1851942677, 1851830177, 1851934635, 1851937685, 1851830874, 1861050044, 1851948843, 1851734433, and 1851952116
Acreage	~584 acres
<i>See Attachment A for copy of the Application and Attachment B for surrounding land use classifications in the Community Plan.</i>	

SURROUNDING LAND USES

	Land Use	Zoning
North	Residential (single-family) and Vacant	Franklin County Residential 30 (R-30)
South	Residential (single-family), Open Space (Wake Forest Reservoir), and Vacant	General Residential 3 (GR3), General Residential 3 PUD (GR3 PUD), General Residential 3 Conditional District (GR3 CD), Open Space (OS), General Residential 10 Conditional District (GR10 CD), General Residential 5 Conditional District (GR5 CD), Wake County Residential-30 (R-30), Wake County Residential-80 Watershed (R-80W), Neighborhood Mixed-Use (NMX)
East	Residential (single-family) and Vacant	Wake County Residential-30 (R-30)
West	Residential (single- and multi-family) and Vacant	Urban Residential Conditional District (UR CD) and Residential Mixed Use (RMX)
<i>See Attachment B Aerial, Zoning, and Land Use Maps.</i>		

CASE SUMMARY

The area subject to this amendment was ineligible to receive municipal water and/or sewer until the adoption of the Third Amendment to the Wake Forest/Raleigh Utility Merger Agreement earlier this year. If a property owner desires to receive municipal water and/or sewer, a property owner must request the Wake Forest Board of Commissioners (BOC) to approve both a voluntary annexation and rezoning request since municipal services cannot be provided to non-municipal parcels. The purpose of this amendment is to provide staff, Planning Board, and BOC comprehensive plan guidance should a property owner request to rezone their property to receive municipal water and/or sewer. This

proposed amendment does not annex or rezone any parcel of land. Additionally, this proposed amendment will not extend the Town's ETJ.

The amendment proposes to classify the land use for the subject area as Conventional Residential. See Attachment C for the Conventional Residential land use description and proposed change to the Land Use Plan map. Additionally, a residential area description was added for the subject area to encourage conservation design principles and pedestrian and bicycle connections to enhance access the reservoir. See Attachments C for the full text description and change to Residential Areas Plan map.

STAFF RECOMMENDATION

Staff recommends approval of the proposed Comprehensive Plan Amendment for the following reasons.

- Provides guidance to the Town as to the appropriate zoning should a property owner request municipal water and/or sewer.
- Articulates how conservation design principles should be prioritized to help maintain water quality, protect valued habitat and ecosystems, and design within the context of environmental features and assets.
- Advises that any development of the area should incorporate pedestrian and bicycle trails and connections that enhance access to the reservoir.

Failure to approve this amendment could result in incompatible residential or commercial development. Additionally, the conservation design principles would not be applicable for the larger tracts of land.

ATTACHMENTS

Attachment A: Application

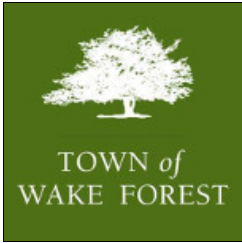
Attachment B: Aerial, Zoning and Land Use Maps

Attachment C: Proposed Community Plan Map and Text Amendments

EXHIBITS

Exhibit 1: Amended Wake Forest Community Plan

Exhibit 2: Amendments



Comprehensive Plan Amendment Application

(Comprehensive Plan Amendment Workflow)

Town of Wake Forest, NC

301 S. Brooks St.

Wake Forest, NC 27587-2932

TEL (919) 435-9510 | FAX (919) 435-9539

Project Overview

#1131358

Project Title: Community Plan Amendment related to the Wake ForestRaleigh Utility Merger Agreement

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: Comprehensive Plan Amendment

State: NC

Workflow: Comprehensive Plan Amendment

County: Wake

Confirmation Checklist Items Submitted

A submittal checklist is available to view additional documents which are required to submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW COMPREHENSIVE PLAN AMENDMENT
SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will be not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist: Yes

Pre-Application Meeting

Has a pre-application conference been held?: Yes

*Note: This type of project requires a pre-application conference be completed prior to official submittal. If this has not been completed, please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.*

Pre-Application Conference Date: 05/01/2023

Staff Member Met With: Jennifer Currin

Pre-application Conference Project Number: NA

Project Contact - Applicant/Owner

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Project Contact - Property Owner

Kip Padgett
Town of Wake Forest
301 South Brooks Street
Wake Forest, NC 27587
P:9194359411
kpadgett@wakeforestnc.gov

Kip Padgett
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301 South Brooks Street
Wake Forest, NC 27587
P:9194359411
kpadgett@wakeforestnc.gov

Amendment Type

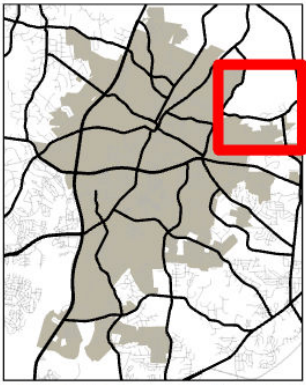
Please provide answers to the questions below. Other application materials specified in the submittal checklist must be uploaded as separate documents. You will have the opportunity to upload documents prior to finalizing and submitting this application.

Plan Being Amended: Wake Forest Community Plan

Type of Amendment: Text, Map or Cross-Section

Description of Request:

Raleigh and Wake Forest entered into an agreement to merge the utility functions of both municipalities on June 6, 2005 with the first amendment in 2013, second amendment in 2019, and third amendment in 2023. This proposed amendment will provide staff zoning guidance should a property owner desire to annex and rezone their property in order to receive water and/or sewer services.

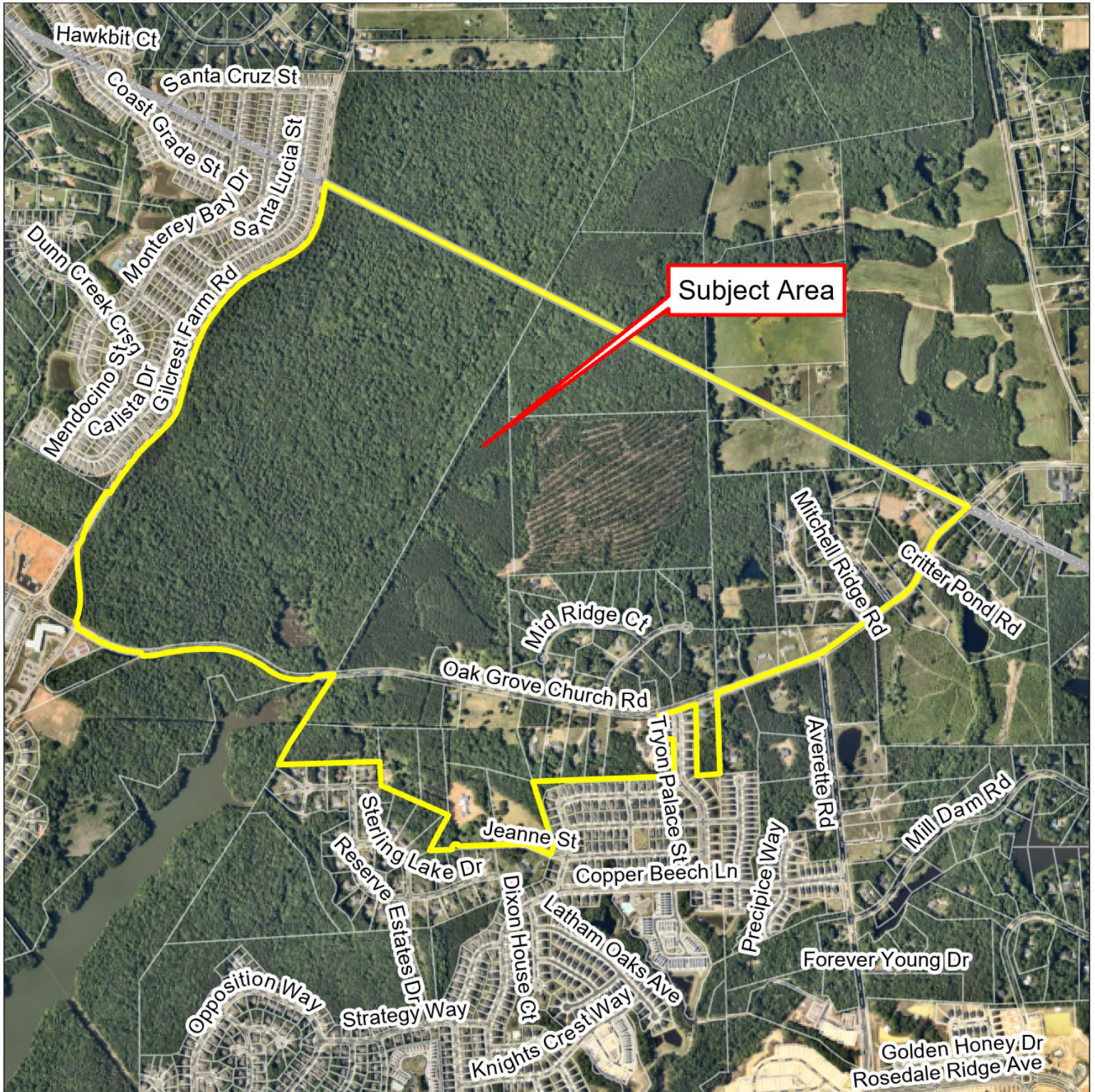


10/2/2023



TOWN of
WAKE FOREST

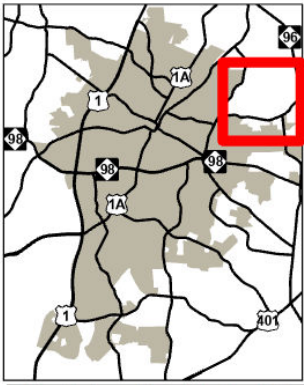
Comprehensive Plan Amendment (CPA-23-03)



Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

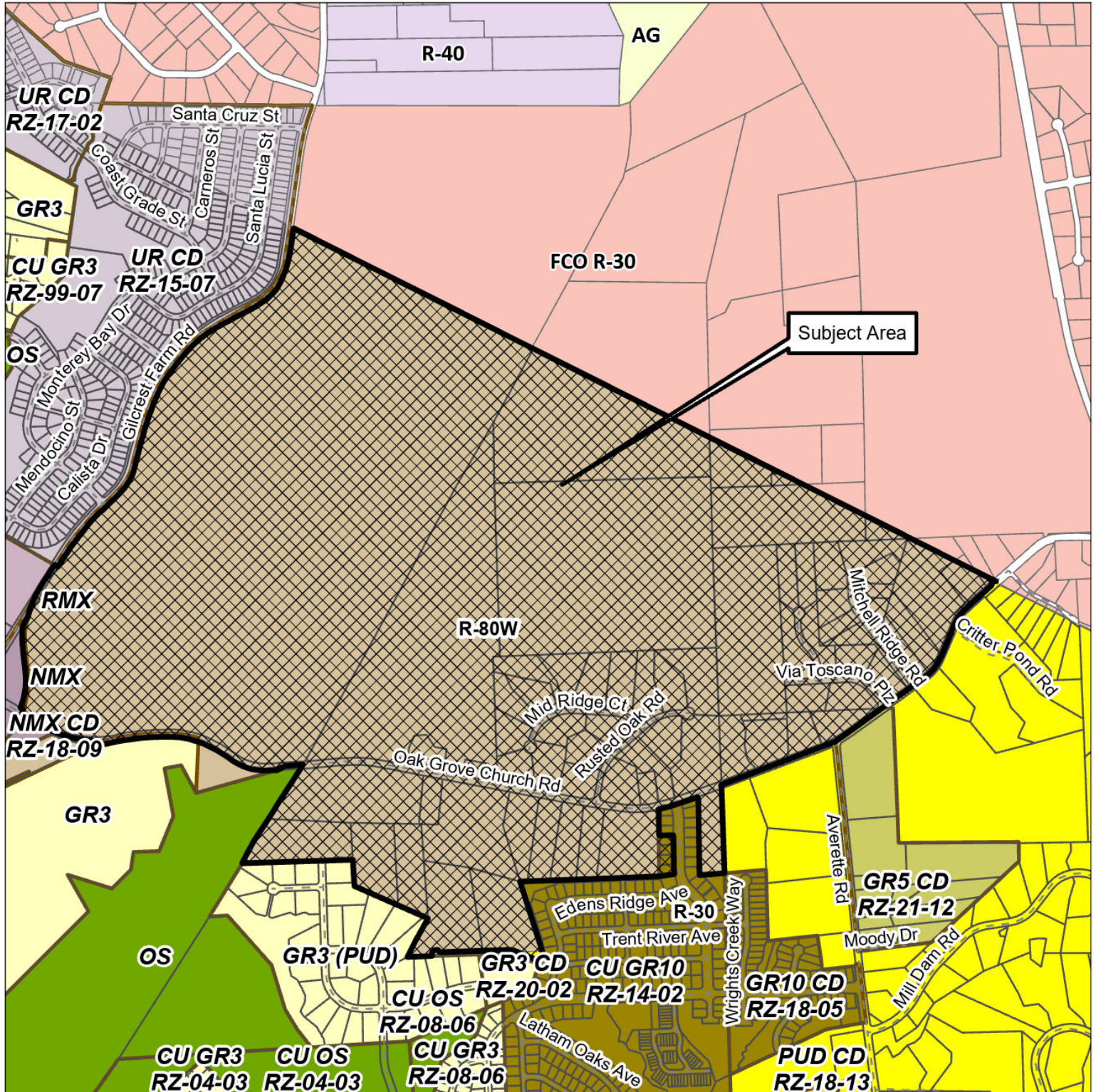
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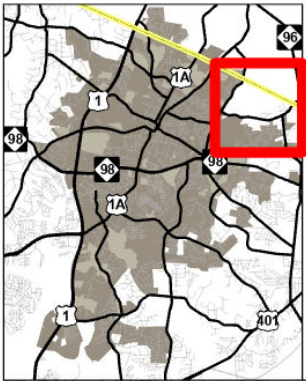
Comprehensive Plan Amendment (CPA-23-03)

10/2/2023



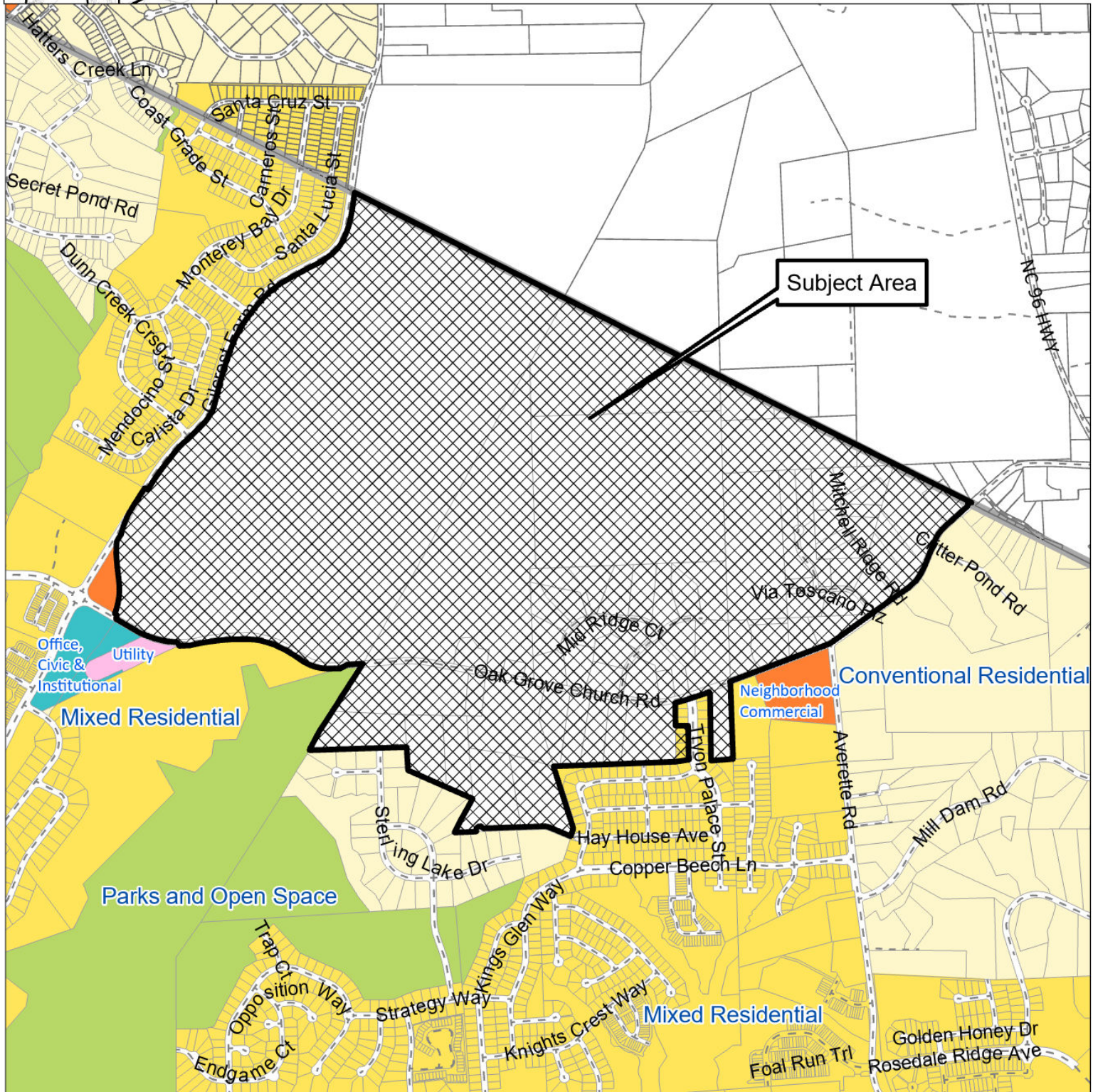
Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 2,000 2,500 3,000 3,500 4,000
Feet



Comprehensive Plan Amendment (CPA-23-03)

9/27/2023



Conventional Residential

Description:

Conventional Residential areas consist of a mix of housing types that resemble the character and form of traditional single family neighborhoods. This can include single-family homes as well as single-family attached and multifamily developments that appear like a single-family home, such as duplexes, cottage home courts, and townhomes. This land use category consists of Wake Forest’s long standing and newer neighborhoods and residential areas in the Glen Royall Mill Village National Historic District, the Wake Forest National Register District, and the Wake Forest Local Historic District. A mixture of lot sizes and dwelling sizes should be encouraged, with heights ranging from two to three stories. Conventional Residential areas should incorporate pocket and neighborhood-scale parks, public gathering spaces, community gardens, and trails that serve surrounding residents. Conventional Residential areas may incorporate commercial corner stores located at key entry points and intersections (page 62 in the Additional Considerations chapter provides additional location and design recommendations).

Primary Uses:

- Single-Family Detached
- Accessory Dwelling Unit
- Duplex
- Cottage Home Court
- Townhome
- Triplex/Quadplex

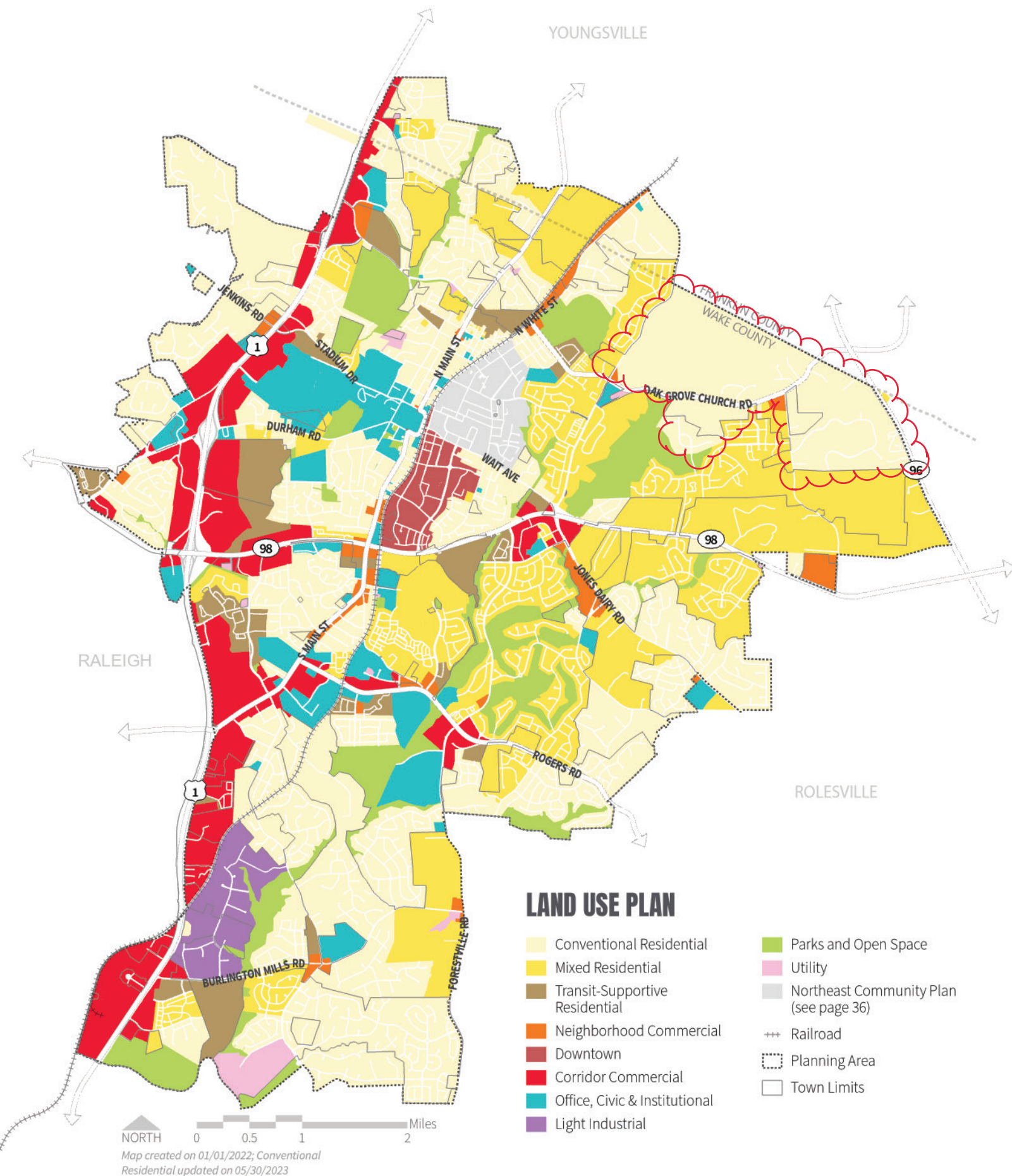
Supporting Uses:

- Commercial Corner Store
- Parks and Open Space
- Multi-Family



Example of an accessory dwelling unit (ADU)
Source: County of San Mateo







RESIDENTIAL AREAS PLAN

The Residential Areas Plan builds on the Land Use Plan, providing a detailed yet flexible guide for preserving existing neighborhoods while supporting new housing options for Wake Forest's growing population. To ensure Wake Forest can support projected growth in the years to come, the Residential Areas Plan focuses on increasing housing diversity and equity, emphasizing a range of housing choices for people of all stages of life and income levels. The Residential Areas Plan supports diversified housing options in appropriate locations. Prioritizing infill and redevelopment opportunities before outward growth will be critical to ensuring new residential growth occurs in a sustainable, strategic manner.

Note: The following area plans are not prioritized or ranked in any order.

Existing Residential

This category includes the Town's existing residential neighborhoods, such as Remington Woods, Heritage, Oakwood Estates, and Traditions. These neighborhoods consist of single-family detached, single-family attached, and multifamily dwellings. Reinvestment in housing stock and infrastructure should be an area of focus as existing neighborhoods age

and reinvestment is necessary to maintain their quality and character for Wake Forest residents.

Reinvestment should include roadway and sidewalk maintenance, strategic curb and gutter construction, tree canopy growth and expansion, and utility line and stormwater management system upgrades. Older neighborhoods developed before the 1990s should be prioritized where such amenities do not exist or have substantially aged. Future redevelopment should be compatible with the built form of existing properties to be respectful of the existing character.

1 Former Wake Forest Golf Course

Once the Wake Forest Country Club, this large property at Capital Boulevard and Country Club Drive now sits abandoned and requires a balanced perspective for redevelopment. To preserve and protect the environmentally sensitive areas such as Horse Creek, existing ponds, and floodplain, a cluster subdivision development is required. These environmentally sensitive areas should be integrated into the site design as enhanced resident amenities with development primarily focused east of Horse Creek and north of the existing ponds running parallel to Country Club Drive. Pedestrian and bicycle connections should be provided within the site

and should connect to the larger network. Connectivity should be emphasized to nearby commercial areas along Capital Boulevard and E. Carrol Joyner Park to the east.

2 Harris Road

Leveraging its direct access to Capital Boulevard, Richland Creek Elementary School, E. Carrol Joyner Park, and Harris Teeter, this undeveloped property should be developed into Transit-Supportive Residential with a mix of higher density residential types. Lower intensity residential types should be located adjacent to existing single-family detached homes along Wallridge Drive and Harris Point Way to complement their character and scale, such as smaller-scale townhomes and duplexes that mimic the character of single-family detached homes. Pedestrian and bicycle access and safe crosswalks should be prioritized along Wallridge Drive and Harris Road to create safe routes to school, parks, and shopping areas. Age-targeted housing should be encouraged to provide desirable senior housing options near such amenities.



3 Jenkins Road & Capital Boulevard

This undeveloped property should be developed into Conventional Residential with primarily single-family detached homes that builds off the surrounding low density residential development. Single-family attached homes should be located towards the southeastern end of the site to provide a transition into the adjacent Neighborhood Commercial development. Horse Creek and its floodplain should be preserved and enhanced as an amenity for residents, such as with walking paths and seating. Safe pedestrian and bicycle connections should be provided to Wake Forest Crossing on the east side of Capital Boulevard.

4 Durham Road & Capital Boulevard

This large scale undeveloped property should be developed into Transit-Supportive Residential to provide greater housing choices near Capital Boulevard and its amenities. This includes primarily multifamily development and townhomes supported at a lower scale. This development should leverage access to Ligon Mill Road, providing roadway connectivity that aligns with the existing street.

Pedestrian-oriented neighborhood-serving businesses should be supported, particularly along the western limits adjacent to Corridor Commercial uses along Capital Boulevard. Mixed use buildings and/or supporting commercial corner stores may also be supported.

5 Historic Residential

This category includes residential properties within the Glen Royall Mill Village National Historic District, the Wake Forest National Register District, and the Wake Forest Local Historic District. These districts contain historic homes that date back to the 19th and mid-20th centuries, concentrated along the west side of the CSX railroad tracks near the old Wake Forest College Campus (now the Southeastern Baptist Theological Seminary). These residential properties should be preserved and maintained as historic assets and tangible evidence of the Town's history. Properties within the Local Historic District require approval from the Historic Preservation Commission for any exterior changes. However, future renovations and new development in all historic districts should follow the design standards in the Wake Forest Historic Property Handbook and Design Standards to protect the special character of the historic properties and districts.

6 Oak Grove Church Road & Gilcrest Farm Road

The properties located at the northeast corner of Oak Grove Church Road and Gilcrest Farm Road are primarily undeveloped and should be developed as Conventional Residential. To complement the newly built single-family homes, this area should continue to offer housing opportunities at a density of no more than three units per acre. Smith Creek and other existing natural features should be preserved and integrated into any site design and development of the area. Conservation design principles should be prioritized to help maintain water quality, protect valued habitat and ecosystems, and design within the context of environmental features and assets. Any development of the area should incorporate pedestrian and bicycle trails and connections that enhance access to the reservoir.



7 306 S Allen Road

This property currently holds a residential care facility that was built in 1958 and has been vacant for over 10 years. Leveraging its proximity to Downtown, and to help address the need for senior housing, this property should be redeveloped into new housing targeted to seniors that matches the scale of the surrounding single-family neighborhood. This could include a new residential care facility or age-targeted single-family detached housing, such as a cottage home court (detached dwellings developed in clusters around a communal open space). Multifamily development should be avoided to maintain existing character.

8 Wait Avenue

A collection of undeveloped parcels is dispersed along Wait Avenue between N Allen Road and Traditions Grande Boulevard. Due to their larger parcel size within the surrounding context, a mix of housing types should be encouraged to complement the scale and character of adjacent single-family detached homes. This includes single-family detached homes, duplexes, cottage home courts, townhomes, triplexes, and quadplexes.

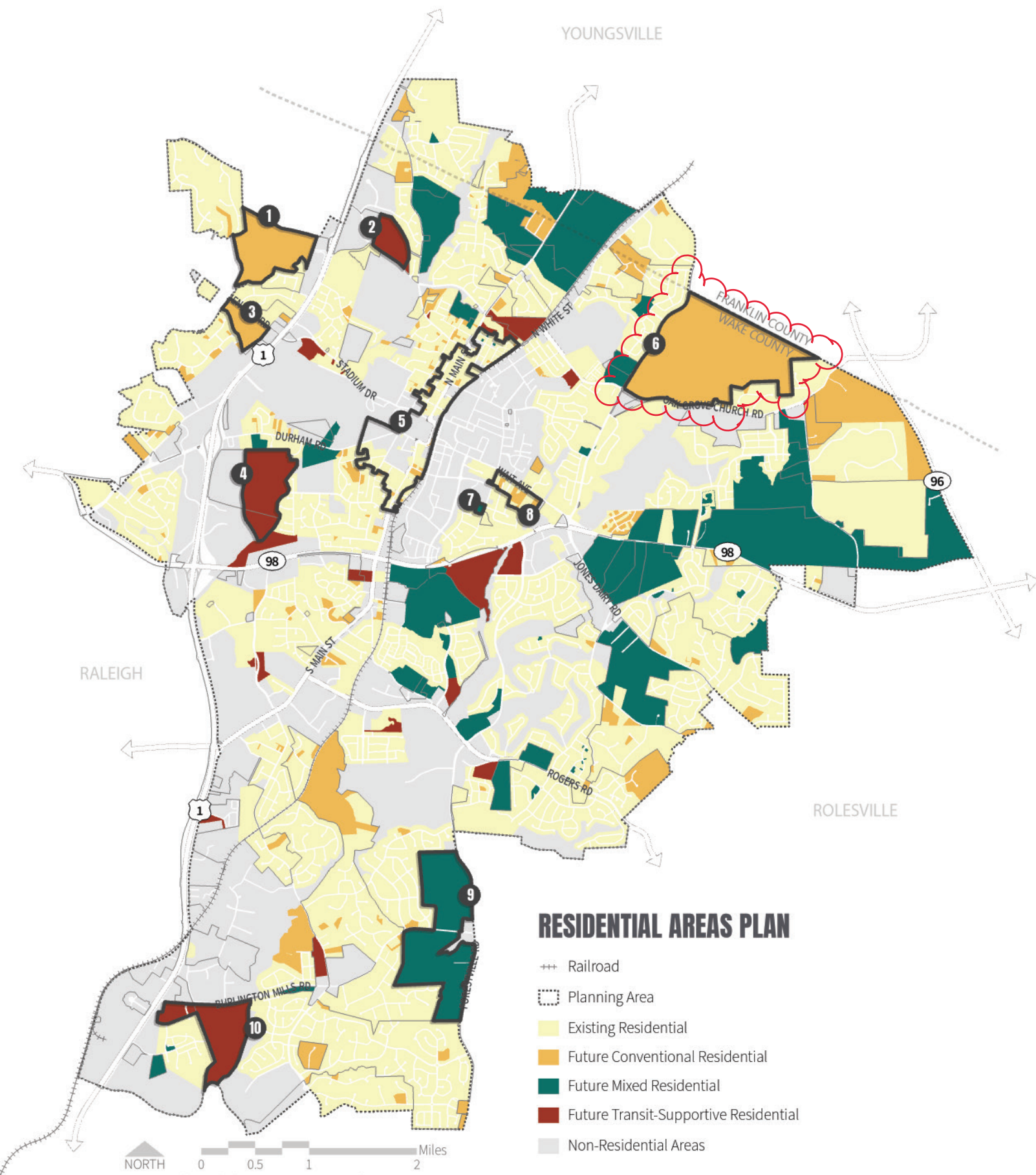
Accommodating greater housing options than only single-family detached homes would allow more residents to live in this desirable location close to Downtown while remaining compatible the character of the existing neighborhood.

9 Forestville Road & Burlington Mills Road

This area presents great potential for Mixed Residential development due to its large scale and convenient access to Forestville Road and Burlington Mills Road. A diverse variety of housing should be provided within the development, ranging from small lot single-family detached housing to lower intensity multifamily development. More dense housing types should be located near the major roadways to act as a buffer from traffic activity to lower intensity residential development. Neighborhood-serving corner stores or food and drink establishments is appropriate, such as along Burlington Mills Road. Traffic impacts of future development should be examined and roadway infrastructure and access management should be upgraded as needed to sufficiently support new development.

10 One World Way & Burlington Mills Road

These properties should be targeted for workforce housing to leverage proximity to the Light Industrial area north of Burlington Mills Road and access to Capital Boulevard. This would allow workers to be within walking distance to their jobs and nearby shopping options. As this area is near a potential S-Line station, TOD may also be supported with ground floor commercial and upper floor residential. Appropriate housing types include multifamily, two-over-twos, duplexes, and townhomes. Homes affordable to households earning 60 to 120 percent of the area's median income (AMI) should be encouraged.



ORDINANCE 2023-XXX

ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF WAKE FOREST AMENDING THE WAKE FOREST COMMUNITY PLAN TO INCLUDE THE AREA IN THE VICINITY OF OAK GROVE CHURCH ROAD (CPA-23-03)

WHEREAS, the area in the vicinity of Oak Grove Church Road was ineligible to receive municipal water and/or sewer until the adoption of the Third Amendment to the Wake Forest/Raleigh Utility Merger Agreement earlier this year; and

WHEREAS, the purpose of this amendment is to provide guidance to the Town as to the appropriate zoning should a property owner request municipal water and/or sewer service in the area subject to the Third Amendment to the Wake Forest/Raleigh Utility Merger Agreement; and

WHEREAS, the application submitted by the Town of Wake Forest was duly filed with the Planning Department; and

WHEREAS, The Planning Board held a public comment session on October 10, 2023 and the Board of Commissioners held a public hearing on November 21, 2023; and

WHEREAS, mailed notices, property sign postings, and a newspaper notice publication were carried out for the public comment session and public hearing pursuant to G.S. §160D-602 and the Unified Development Ordinance; and

WHEREAS, the Planning Board submitted its recommendation to the Board of Commissioners recommending denial of said application, all in accordance with the requirements of the Town of Wake Forest Unified Development Ordinance and the provisions of Chapter 160D, Article 6, of the North Carolina General Statutes; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest:

Section 1: Adopts the amended 2022 Community Plan (Exhibit 1) and Plan revisions (Exhibit 2).

Section 2: Deems the amended 2022 Community Plan effective immediately upon adoption.

Adopted and effective this _____ day of _____ 2023.

Vivian A. Jones

Mayor

ATTEST:

APPROVED AS TO FORM:

Theresa Savary

Town Clerk

Hassan Kingsberry

Town Attorney



TOWN OF WAKE FOREST Community Plan

*Adopted April 19, 2022
Updated MONTH ##, 2023*

ACKNOWLEDGMENTS

Board of Commissioners

Vivian Jones, Mayor

Adam Wright, Commissioner

Bridget Wall-Lennon, Commissioner
(through December 2021)

Chad Sary, Commissioner

Jim Dyer, Commissioner

Keith Shackelford, Commissioner

Liz Simpers, Commissioner
(through December 2021)

Nick Sliwinski, Commissioner

Planning Board

Joe Kimray, Chair

Karin Kuropas, Vice-Chair

Colleen Sharpe, Board Member
(through December 2021)

Christopher Joyner, Board Member

Michael Siderio, Board Member

Michael Hickey, Board Member

Sheila Bishop, Board Member

Thomas Ballman, Board Member

Steering Committee

Ann Welton

Jacob Anderson

Joseph Lassiter

Kenneth Christie

Leeann Tedder

Ryan Akers

Sheneque Duncan

Shipman Northcutt

Shynese Hockaday

Stacey Mortiz

Timothy Shail

Zee Khan

Town Departments

Administration

Communications

Downtown Development

Economic Development

Finance

Fire

Human Resources

Inspections

Information Technology

Parks, Recreation & Cultural
Resources

Police

Public Works

Wake Forest Power

Wake Forest Renaissance Centre

Planning Staff

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Planning Director

Jennifer Currin,
Assistant Planning Director

Brad West,
Long Range Planning Manager

Dylan Bruchhaus,
Planner II - Long Range

Michelle Michael,
Senior Planner -
Historic Preservation

Ben Coleman,
Zoning Enforcement Officer

Josh Michael,
Planning Administrative Assistant

Kari Grace,
Senior Planner -
Development Services

Patrick Reidy,
Senior Planner -
Development Services

Emma Linn,
Planner I - Development Services

Thanks to Those Who Participated

A special thank you goes to everyone who participated in the planning process for the Wake Forest Community Plan. This Plan was made possible by the contributions and insights of the residents, business owners, property owners, developers, and representatives from various groups and organizations.

Project Consultant



We are an innovation-based urban planning and design firm. We pride ourselves on creativity, collaboration, and delivery of quality. Our team approach is built on strong relationships, the exchange of ideas, and a commitment to the integration of technology. Our priorities are to do good, have fun, work hard, and provide responsive, visionary, and viable solutions to our clients and partners.

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PLAN CONTEXT

The Town of Wake Forest is a fast-growing community positioned just north of Raleigh and northeast of North Carolina's Research Triangle Park. Incorporated in 1909, the Town grew as a community of rich heritage, small-town character, home to a vibrant and historic Downtown, festivals and events, and scenic natural areas cherished by its residents. Over the past two decades, the Town has experienced unprecedented growth reflective of the surrounding region, prompting new development that has been primarily residential. Today, residents enjoy attractive suburban living with access to nearby urban amenities.

In August 2020, the Town initiated an update to the Wake Forest Community Plan to address Wake Forest's continual growth and ensure future development supports a thriving community with a high quality of life. The planning process included an extensive analysis of existing conditions and robust community engagement to identify unique issues and opportunities within the Town. Together, these components formed the vision, goals, and recommendations of this Community Plan. The Plan establishes a roadmap for how Wake Forest should develop and grow over the next 10 to 20 years to achieve its vision along with the critical steps necessary to do so.

WHAT IS THE COMMUNITY PLAN?

The Community Plan and Future Land Use Map (Community Plan) is Wake Forest's new comprehensive land use plan that creates a long-term vision for the Town to implement over the next 10 to 20 years. The Community Plan is built off past planning efforts, existing policies that remain relevant, and at its core, community input from a wide-ranging outreach process. It presents a cohesive vision that is representative of Wake Forest's residents, business community, and community stakeholders. The Community Plan outlines the critical steps essential to ensure future growth and development in the Town aligns with the community's priorities.

The Community Plan is a product of an 21-month planning process that included considerable community engagement. It began in the summer of 2020 and ended spring of 2022. The planning process included the seven steps below:



Community Plan Update

PROJECT BRANDING

To better brand the Community Plan, the logo above was created for the planning process.



REGIONAL SETTING

Part of North Carolina's Research Triangle, Wake Forest is located on the periphery of one of the fastest-growing research and development hubs in the United States. The community is connected to the surrounding region by the major routes US 1, NC Hwy 98, I-540, and US 401, with access to destinations across the world via the Raleigh-Durham International (RDU) Airport located just 17 miles away.

According to the Wake County Planning, Development, and Inspections Department, Wake County has grown by 80% over the past 20 years, with a net average increase of 62 residents per day. The County is projected to gain another 250,000 residents over the next decade with a need for an additional 125,000 to 175,000 new housing units over the next 10 to 15 years. As Wake Forest is among the top 10 fastest growing municipalities in North Carolina, it presents considerable potential for future expansion and development.

RESEARCH TRIANGLE

The Research Triangle is the Raleigh-Durham-Chapel Hill metro area in North Carolina that is anchored by three major research universities: Duke University, University of North Carolina at Chapel Hill, and North Carolina State University. It includes Research Triangle Park (RTP), the largest research park in the country at 7,000 acres, which contains hundreds of companies including science and technology firms, government agencies, academic institutions, start ups, and non-profits. RTP has stimulated major growth in high-tech and research industries, drawing significant employment and business opportunities to the region.





BUTNER

85

15

56

96

FRANKLINTON

LOUISBURG

YOUNGVILLE

1

401

WAKE FOREST

98

50

540

RDU

MORRISVILLE

54

CARY

NORTH CAROLINA
STATE UNIVERSITY

440

RALEIGH

KNIGHTDALE

ROLESVILLE

96

64

ZEBULON

264

WENDELL

GARNER

40

HOLLY SPRINGS

401

50

CLAYTON

42

FUQUAY-VARINA

42

70

95

5

193



The Royall Cotton Mill Building ca. 1910, courtesy of the Wake Forest Historical Museum

HISTORY

The Town of Wake Forest began as a rural and forest district in northern Wake County, North Carolina with its earliest surviving building dating back to circa 1800. In 1820, Calvin Jones purchased a 615-acre plantation from Davis Battle, coining the name Wake Forest when he was postmaster of what was known as the “Forest District of Wake.” The North Carolina Baptist Convention purchased his plantation in 1834 to develop the Wake Forest Manual Labor Institute, which would become Wake Forest College in 1838. The area witnessed growth due to the College, the relocation of the railroad depot from Forestville to Wake Forest in 1874, and the establishment of the Royall Cotton Mill in 1899, one of the State’s largest cotton mills and a major local employer.

In 1909, the North Carolina General Assembly rechartered the community as the Town of Wake Forest, giving the Town authority to sell bonds to build a generator and electric system. US 1’s relocation west of town in 1952, Wake Forest College’s move to Winston-Salem in 1956, and the closure of the mill in 1976 brought significant changes and economic hardship, but the Town persevered. Beginning in the 1990s and continuing today, Wake Forest has experienced a considerable increase in population together with the surrounding region, prompting new residential and economic growth across the community.



Calvin Jones House ca. 1820



Ailey Young House, construction in the mid-late 1800s

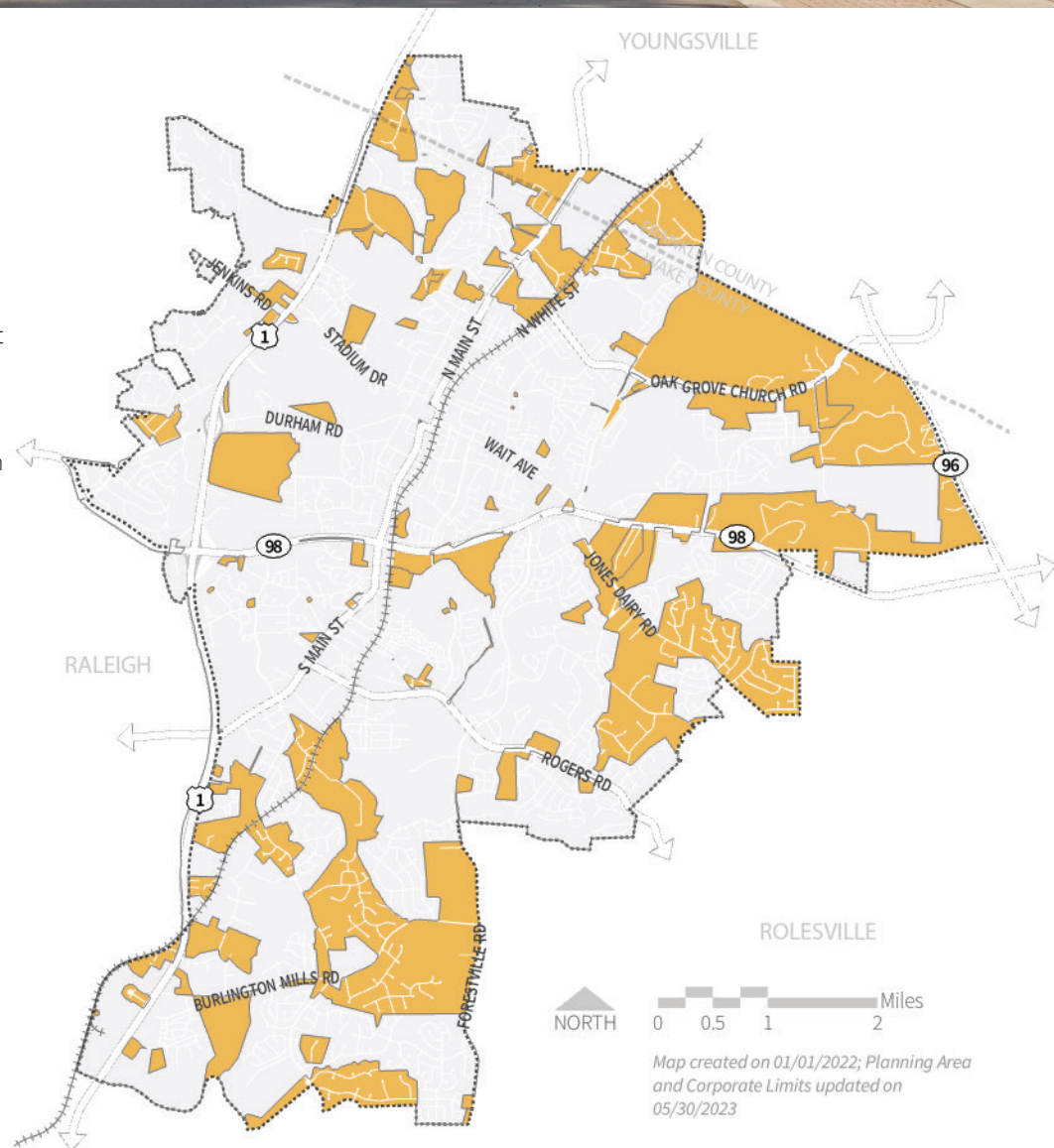


PLANNING AREA

Wake Forest's planning area includes all properties within the Town's municipal boundary, Extraterritorial Jurisdiction (ETJ), and urban service areas. The ETJ contains properties that are subject to Wake Forest's development regulations but are currently unincorporated. The Town maintains annexation agreements with the communities of Raleigh, Rolesville, and Youngsville, delineating the extent to which the Town can plan for annexations and utility extensions.

PLANNING AREA

- ++ Railroad
- Town Limits
- ▤ Planning Area
- Within Town Limits
- Unincorporated Area



EXISTING LAND USE

Wake Forest is a unique place to live and work in the Research Triangle region. Existing land uses provide insight into how the Town has grown and developed over time and inform what type of development will be appropriate in the future. The Town's existing land use was inventoried based on field reconnaissance and research conducted in October 2020. All parcels within the planning area have been categorized into one of the following 15 land use classifications:

Single-Family Detached

Includes single-family homes occupying individual lots. This is the predominant residential development in the Town. The single-family detached land use includes newer planned subdivisions as well as older established neighborhoods. It also includes manufactured homes and mobile home parks, where detached single-family homes are constructed on a permanent chassis.

Single-Family Attached

Includes single-family attached homes where dwelling units share an exterior wall with at least one adjacent unit. Each dwelling unit has a separate dedicated building entrance. This land use includes townhomes and duplexes.

Multifamily

Includes structures containing multiple dwelling units stacked vertically and/or horizontally. Multifamily housing often features shared building entrances, stairways, hallways, and occasionally amenities. This land use includes apartments, condominiums, two-over-tuos, congregate care, and assisted living facilities.

Mixed Use

Includes buildings with two or more distinct uses vertically stacked. Developments usually contain commercial on the ground-floor and residential or office uses above.

Mixed Commercial

Includes properties with a mix of commercial retail, commercial service, or office uses. This use contains individual free-standing structures with different uses on a single property, such as at the southern corner of S Main Street and Rogers Road, as well as large commercial strip buildings containing multiple tenants with varying uses, such as at Gateway Commons.

Commercial Retail

Includes commercial establishments that sell a product, such as grocery stores, gas stations, clothing stores, pharmacies, and home goods stores.

Commercial Service

Includes commercial establishments that sell a service, such as hair salons, auto repair shops, restaurants, drive-thru dining options, and cafes.

Heavy Industrial

Includes facilities involved in the processing of chemicals and plastics, refineries, and industrial machinery. These uses are larger in scale and typically have environmental, noise, and visual impacts on adjacent areas.

Light Industrial

Includes facilities involved in the manufacturing, processing, storage, and distribution of goods and materials. Light industrial uses typically have a minimal impact on surrounding areas and are generally clustered together within established industrial parks.

Office

Includes offices used for professional services as well as medical office uses. Individual small offices, legal firms, and family physicians are included.

Public/Semi-Public

Includes local government uses, municipal facilities, Town-owned parking lots, community service providers, schools, nonprofit organizations, and religious institutions. Examples include Town Hall, fire stations, libraries, places of worship, and Wake County Public Schools.

Parks & Open Space

Includes designated public park spaces managed by the Wake Forest Parks, Recreation, and Cultural Resources Department, as well as private parks and recreational facilities located within traditional subdivision developments. This category also includes preserved natural areas, greenways, active golf courses, detention and retention ponds, and designated open spaces areas within private developments.

Agriculture

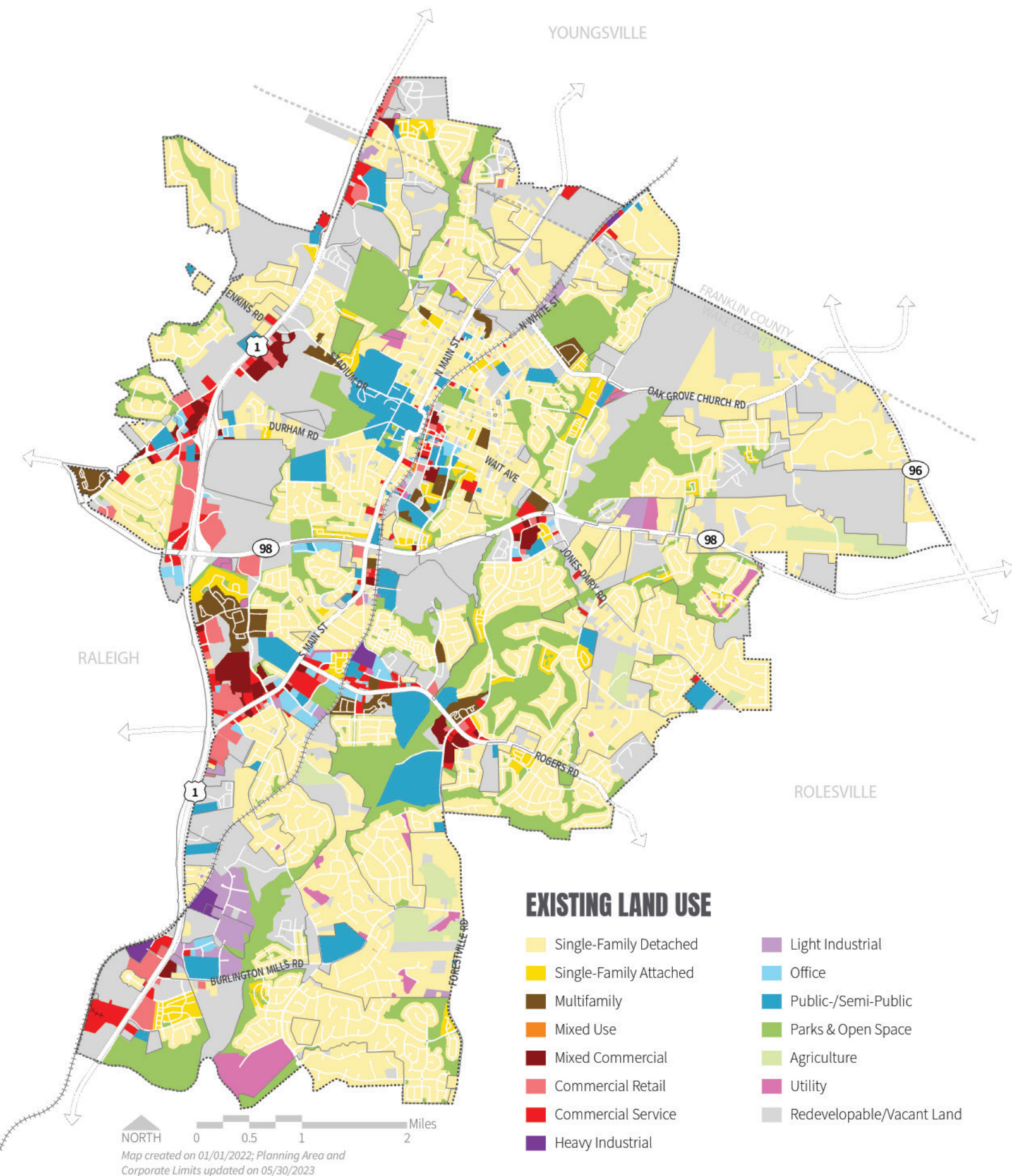
Includes land that is actively being used to produce crops, livestock, and other farming-related activities.

Utility

Includes utility infrastructure, such as electrical substations, power line rights-of-way, and water treatment facilities. Utility uses are dispersed throughout the Town to support existing development.

Redevelopable/Vacant Land

This category includes areas that have not been developed for any use and are not designated open space. This includes land that has yet to be cleared for development, as well as land that has been cleared and primed for development, potentially with connections to one or multiple utilities, including water, sewer, electric, gas, and telecommunications. This category also includes land that contains vacated existing structures that can be reasonably considered available for redevelopment.



CURRENT ZONING

Development controls such as the Town's municipal zoning code and sign ordinance provide the legal framework to regulate the built environment. Wake Forest's zoning regulations are outlined in its Unified Development Ordinance (UDO), which dictates land use and guides development within the Town. Note: The following section and Current Zoning Map only identify zoning districts within the Town's existing Unified Development Ordinance (UDO). Each property within the Town's jurisdiction is designated as one of the following 16 zoning districts:

Open Space (OS)

This district is intended to preserve and protect environmentally sensitive lands, such as floodways or wetlands, and properties that are already under public ownership and/or otherwise restricted for use for passive or active recreational use.

Rural Holding District (RD)

This district includes areas where the principal uses of the land are restricted due to lack of available utilities, unsuitable soil types, or steep slopes.

General Residential (GR3, GR5, GR10)

These districts are established to maintain previously developed suburban residential subdivisions for their existing or approved low- to medium-density single-family dwellings and related recreational, religious, and educational facilities. Intended to act as a transitional zoning district between rural development in the County and the urban development of the Town, these districts discourage any use which would be detrimental to the predominately residential nature of the areas in the district.

Urban Residential (UR)

This district is intended to establish residential districts in which a variety of housing types are permitted. Permitted housing in this district includes single-family and duplex residences, small apartment buildings, and townhouses.

Residential Mixed Use (RMX)

This district is intended to provide a mix of small residences and multifamily structures in relatively high density neighborhoods within walking or biking distance from mixed use centers. This district also allows limited commercial uses in pedestrian-scaled, residential-style structures.

Neighborhood Mixed Use (NMX)

This district is intended to create pedestrian-scaled, mixed use areas that cater to the everyday needs of nearby neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.

Urban Mixed Use (UMX)

This district is intended to promote an active, pedestrian-friendly area of community-scale commercial, residential, office, and civic uses in both vertically mixed use, as well as free-standing buildings. This district encourages retail at street level, with residential uses in rear or upper stories.

Renaissance Area Historic Core (RA-HC)

This district is intended to support the sensitive continuation of the "Main Street" environment of S White Street and its secondary streets. The ground floor of buildings on S White Street should feature active storefronts, such as retail or restaurants, with office and residential located on second stories. Side streets east of White Street may have a greater variety of ground-floor uses.

Neighborhood Business (NB)

This district is intended to provide areas for lower intensity retail trade and services such as cafes, childcare facilities, and small scale grocery stores that reduce trips to major commercial areas for residents. Such districts are generally located near residential areas and cater to the everyday needs of nearby residential neighborhoods, stressing accessibility by automobiles, bicycles, and pedestrians.

Highway Business (HB)

This district supports retail, service, and office uses. It is intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the creation of new pedestrian-friendly, mixed use areas that avoid strip commercial development and establish more resilient land development patterns. This district is generally located on major thoroughfares in Town.

Light Industrial (LI)

This district is intended to accommodate externally benign industrial and office uses that pose minimal nuisance to adjacent residential or mixed use areas.

Heavy Industrial (HI)

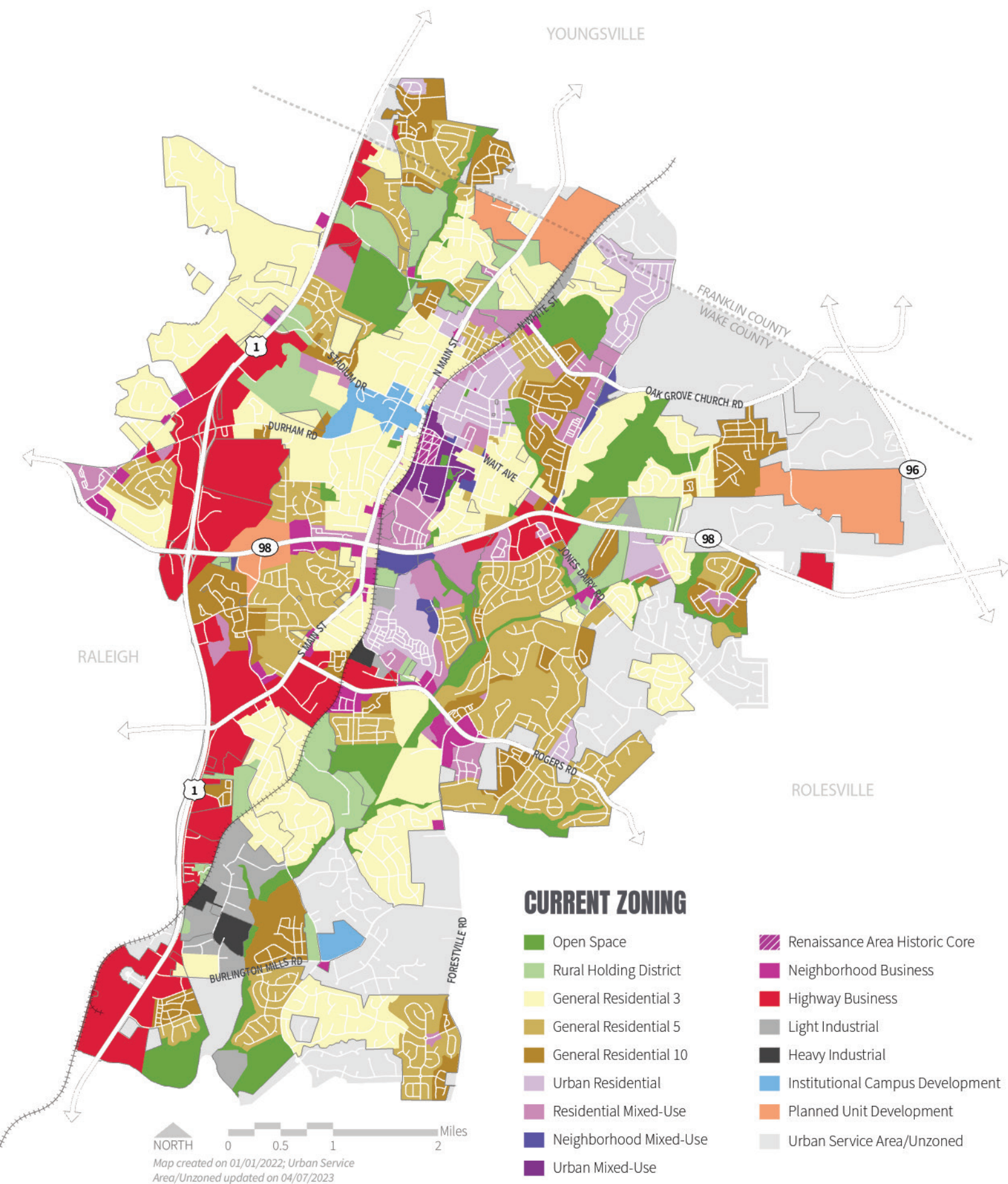
This district is intended to accommodate those industrial, manufacturing, or large-scale utility operations that are known to pose levels of noise, vibration, odor, or truck traffic that are considered nuisances to surrounding development.

Institutional Campus Development (ICD)

This district is intended to allow for the continued and future use, expansion, and new development of academic and religious campuses and of governmental and health facilities, where the campus or facility has a total development size greater than 10 acres. The goal is to promote the many varied uses associated with such institutions while maintaining the overall design integrity of the campus setting and minimizing any adverse impacts on the neighboring residential and historic areas. In the attempt to meet this goal numerous requirements are included, such as buffers, landscaping, outdoor lighting, parking, signage, building height, and setbacks.

Planned Unit Development (PUD)

This district is intended to promote a compatible mix of uses to instigate an integrated and sustainable development consistent with the Town's unique character. This district encourages design flexibility; multi-modal connectivity between uses; sensitivity to natural resources and environmental features; and the efficient provisions of infrastructure, utilities, and adequate public facilities.



OVERLAY DISTRICTS

An overlay district is a zoning tool that applies an additional set of regulations on top of an underlying zoning district(s) to establish stricter standards for development. The following overlay districts aim to manage certain environmentally sensitive or visually important areas, establishing design, use, or other standards in addition to the requirements of the underlying base district(s).

Historic District & Landmarks Overlay (HL-O)

This district is intended to provide additional protections and controls to preserve the special character of properties and structures located within locally designated Historic Districts as well as to individual Historic Landmarks. Historic Districts include:

- Wake Forest Local Historic District and Local Historic Landmarks
- Wake Forest National Register Historic District
- Glen Royall Mill Village
- Downtown Wake Forest National Register Historic District

For more information on National Register Historic Districts, see page 71.

Glen Royall Mill Village Character Preservation Overlay (MVCP-O)

This district is intended to preserve and protect the specific historic and unique neighborhood character found within the Glen Royall Mill Village National Register Historic District.

Special Highway Overlay (SH1-O and SH2-O)

This district is intended to protect and preserve the natural scenic beauty along major access corridors located in the Town's zoning jurisdiction. It is also intended to protect the carrying capacity of these major thoroughfares by reducing the hazards arising from unnecessary points of ingress and egress and cluttered roadside development. The overlay district is also designed to reduce the costs of future highway expansions by protecting the associated highway corridors at the time of development.

Required Shopfront (SF)

This district is intended to implement vibrant, pedestrian-friendly areas in Form-Based Districts, or districts in which development is regulated primarily based on physical form rather than land use. It ensures that the ground floors of buildings in designated blocks are designed using either shopfront and awning, gallery, or arcade private frontage.

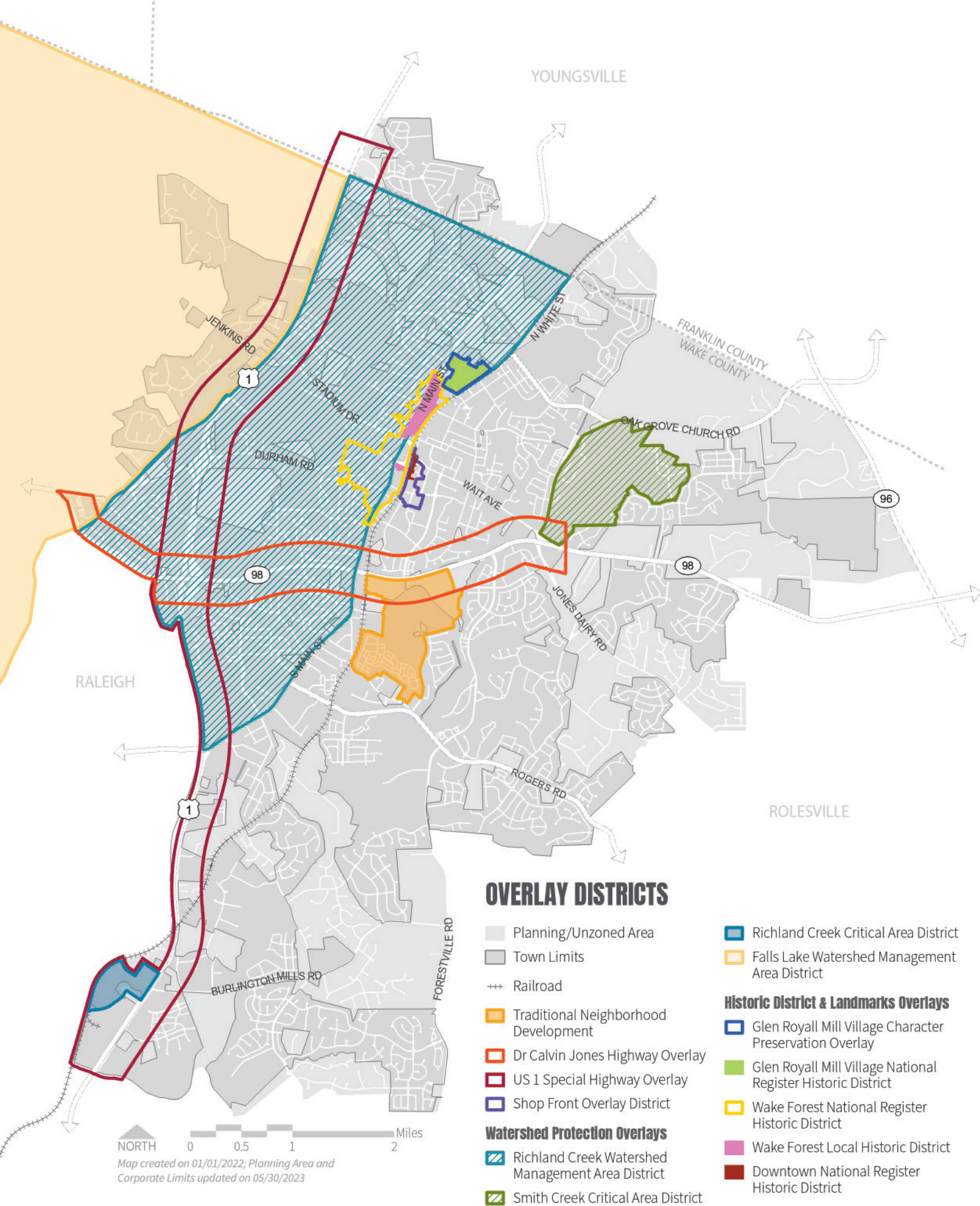
Traditional Neighborhood Development (TND)

This district is intended to allow the development of fully integrated, mixed use, pedestrian-oriented neighborhoods to minimize traffic congestion, suburban sprawl, infrastructure costs and environmental degradation. This district is a planned development district as it is created through the combination of other form-based districts as subdistricts under the umbrella of the TND.

Watershed Protection Overlays

These districts are intended to preserve water quality in the Town's water supply watersheds to provide safe drinking water. They establish regulations that ensure the availability of public water supplies at an acceptable level of water quality for present and future residents, and include the following overlays:

- Falls Lake Watershed Protection Overlay (Falls Lake-Critical Area & Falls Lake-Watershed Management Area)
- Richland Creek Watershed Protection Overlay (Richland Creek-Critical Area & Richland Creek-Watershed Management Area)
- Smith Creek Watershed Protection Overlay (Smith Creek-Critical Area & Smith Creek Watershed Management Area)
- Little River Watershed Protection Overlay (Little River-Watershed Management Area)



DEMOGRAPHIC SNAPSHOT

The Demographic Snapshot assesses the existing demographic characteristics of the Town of Wake Forest. The snapshot helped guide the planning process to ensure the Community Plan reflects accurate demographic data and addresses existing trends, issues, and opportunities.

POPULATION

Wake Forest has experienced significant growth since the 1990s, with its population increasing by over seven times its size.

The current population of the Town of Wake Forest is 47,601 people. Between 1990 and 2020, the Town experienced tremendous growth by 41,832 new residents, a 725% population change. This is more than four times greater than Wake County's population growth and almost 13 times greater than North Carolina's growth within the same period. The Town's significant population increase is reflective of the major growth occurring in municipalities across the Research Triangle. The Town's growth is most likely associated with the availability and lower cost of land and housing compared to the City of Raleigh. Over the next two decades, Wake Forest's population is projected to increase by 150% to 118,912 people in 2040. This rate could increase, however, with the construction of the proposed S-Line stations that would improve transit access to and from the Town (see page 75 for more information).

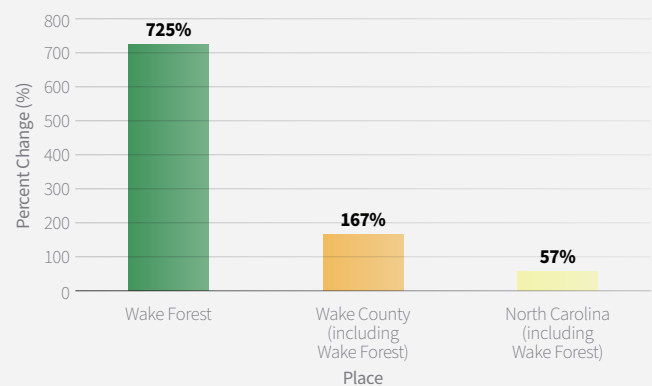
725%

Increase in population between 1990 and 2020

Source: U.S. Census; American Community Survey; Houseal Lavigne Associates

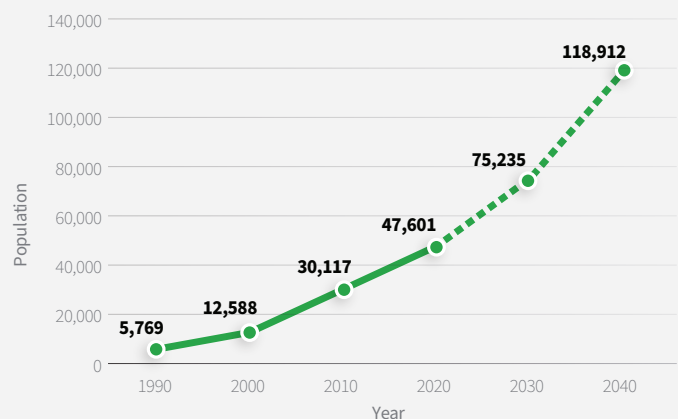
Population Change

(1990-2020)



Population Projection

Wake Forest (1990-2040)

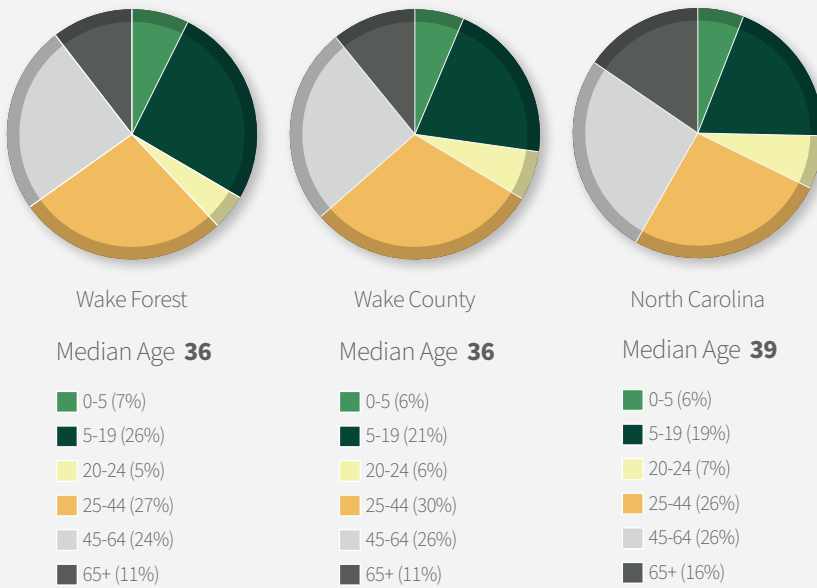


AGE

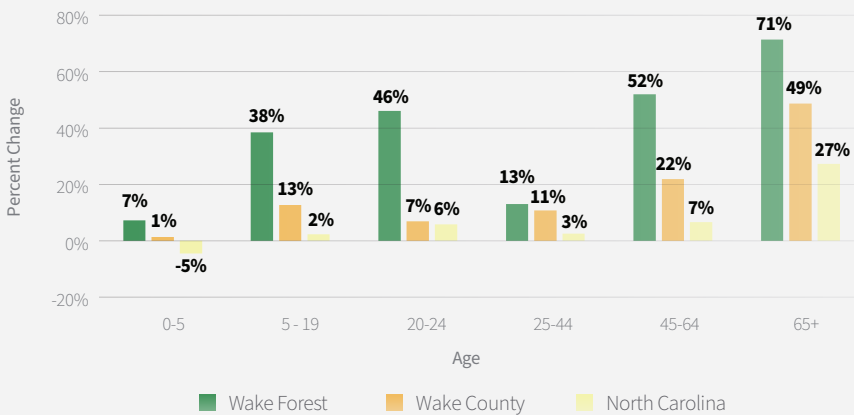
Wake Forest's senior population is growing in line with county, state, and national trends.

The Wake Forest community is growing older. Based on U.S. Census Bureau data, the Town experienced a substantial 71% increase in seniors (people aged 65 years and older) over the past decade, and a 52% increase in the 45 to 65 age group. Wake County and North Carolina both show a similar pattern, though less significant. All three geographies align with national trends driven by the large, aging baby boomer generation, underscoring the growing need for senior housing, amenities, and services.

Age Distribution (2018)



Age Distribution Change (2010-2018)

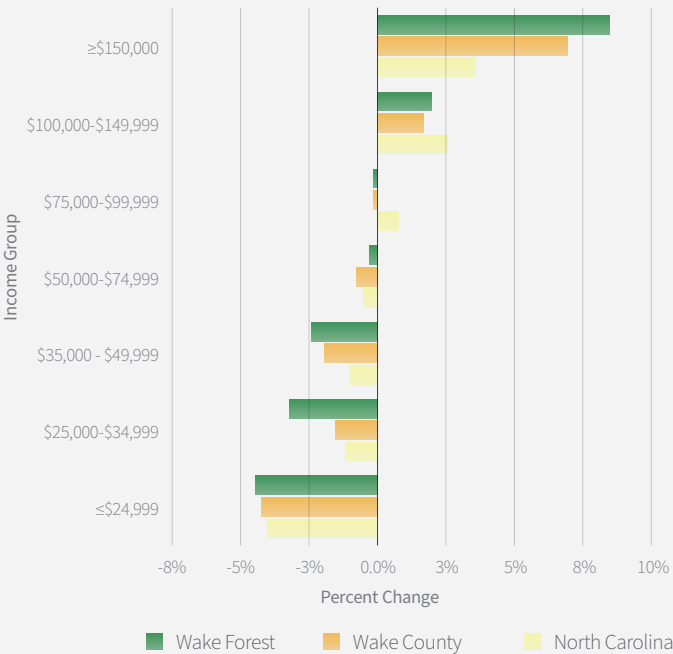


INCOME

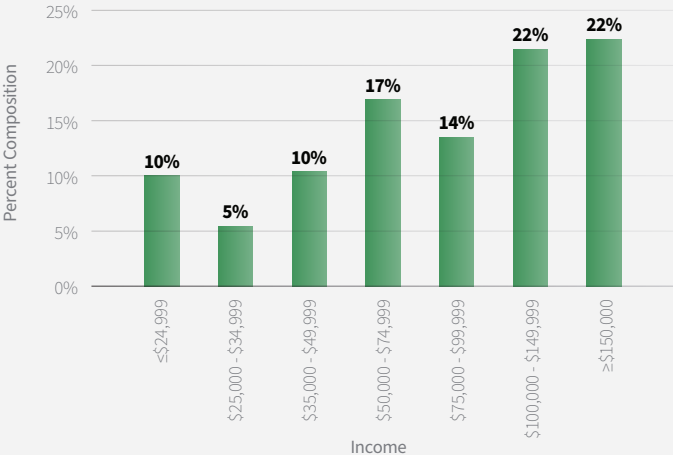
Like Wake County and North Carolina, Wake Forest’s higher-income households have grown over the last eight years while lower-income households have decreased.

Wake Forest’s largest household income group is the \$150,000 and over group, followed by the \$100,000 to \$149,000 group. Wake Forest, Wake County, and North Carolina each show similar trends, highlighting a higher-income population that is growing, and simultaneously, a shrinking lower-income population. This could indicate an increase in higher paying jobs in the area for existing workers and/ or new residents moving in with higher incomes.

Change in Household Income
Percent Composition (2010-2018)



Household Income
Wake Forest (2018)

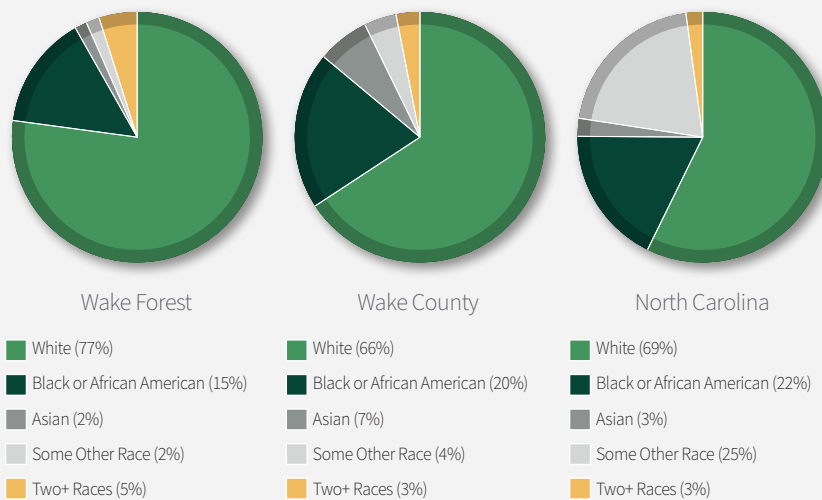


RACE & ETHNICITY

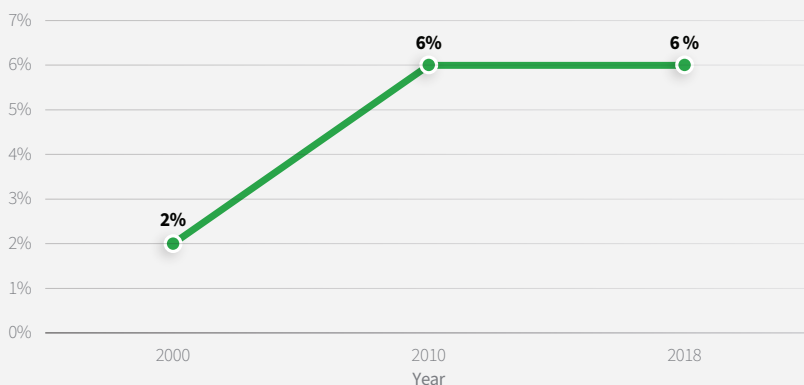
Wake Forest is less diverse than Wake County and North Carolina.

According to the U.S. Census Bureau, most of Wake Forest identifies as White (77%) and the second largest racial group is Black or African American (15%). The Town is less diverse than Wake County (66% White and 20% Black or African American) and North Carolina (69% White and 22% Black or African American). Wake Forest also has a lower proportion of people who identify as Hispanic, an ethnicity which can be made up of any race, at 6% compared to Wake County at 10% and North Carolina at 9%. The Hispanic population has increased as a percentage of the total in Wake Forest, albeit at a minimal rate.

Race Distribution
(2018)



Change in Hispanic Population
Wake Forest (2000-2018)

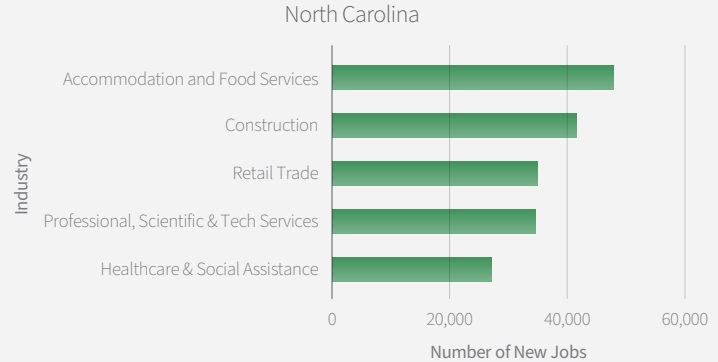
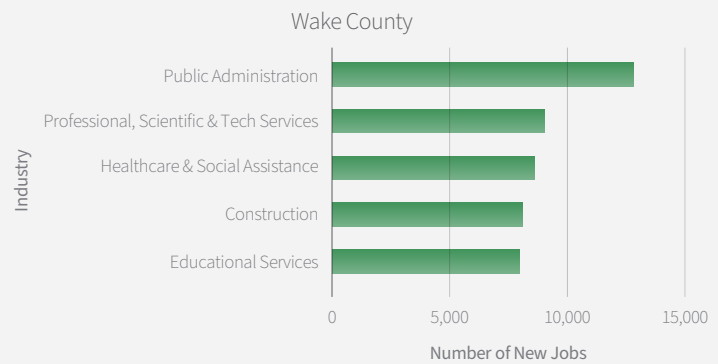
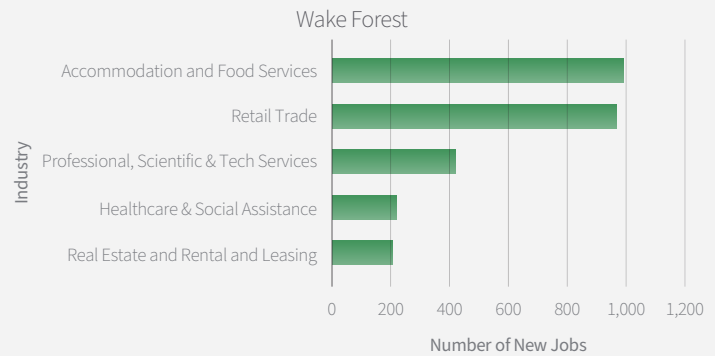


EMPLOYMENT

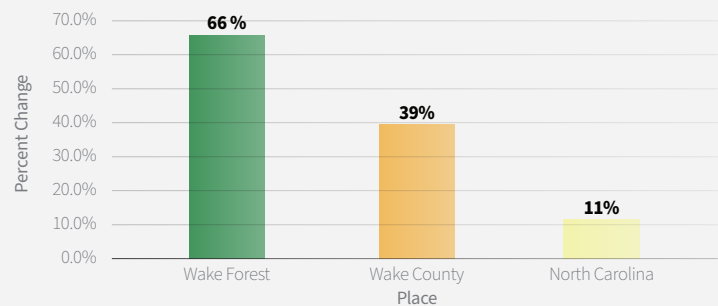
Wake Forest's corporate community and expanding business environment has created a variety of job opportunities over the past decade.

The Town has experienced a 66% increase in total primary jobs between 2013 and 2017, reflecting the fast-paced economic development occurring throughout the Triangle Region. The Town's largest industry is Retail Trade, which makes up 23% of its employment base, followed by Accommodation and Food Services (18%) and Professional, Scientific, and Technical Services (11%). While Retail Trade currently provides the most jobs within the Town, Accommodation and Food Services experienced the largest growth between 2013 and 2017 (993 new jobs), followed again by Retail Trade (968 new jobs) and Professional, Scientific, and Technical Services (422 new jobs). Professional, Scientific, and Technical Services and Healthcare and Social Assistance fall within the Town's, County's, and State's top five growing industries. This corresponds with the significant growth in the research, technology, and medical-related businesses in the larger region, including in Research Triangle Park (RTP).

Job Growth (2013-2017)



Change in Total Primary Jobs Wake Forest (2007-2017)



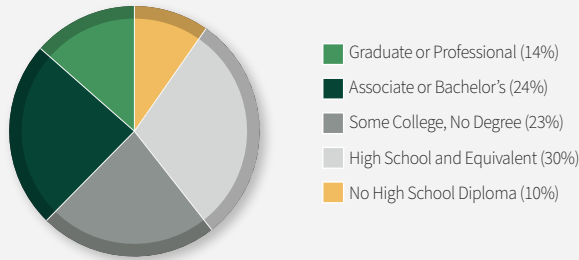
EDUCATION

Wake Forest's population is slightly more educated than the State's but trails the County's.

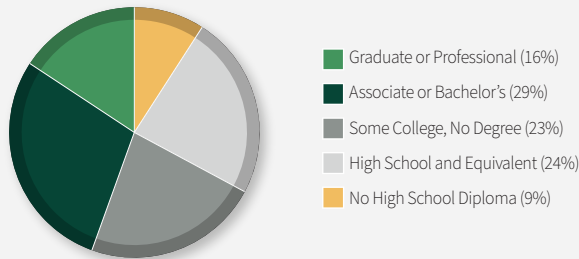
Between North Carolina, Wake County, and Wake Forest, the County has the highest educational attainment levels, though there is not a substantial disparity in between the three geographies. This is likely due to Raleigh's urban nature and universities located in the County that provide greater access to higher education institutions. The Town has the second highest rate of graduate and professional degrees (14%) and second lowest rate of residents aged 25 or older without a high school diploma (10%).

Educational Attainment (2018)

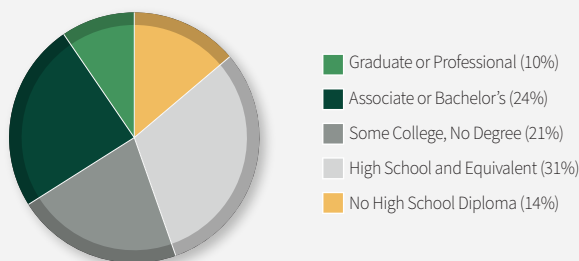
Wake Forest



Wake County



North Carolina

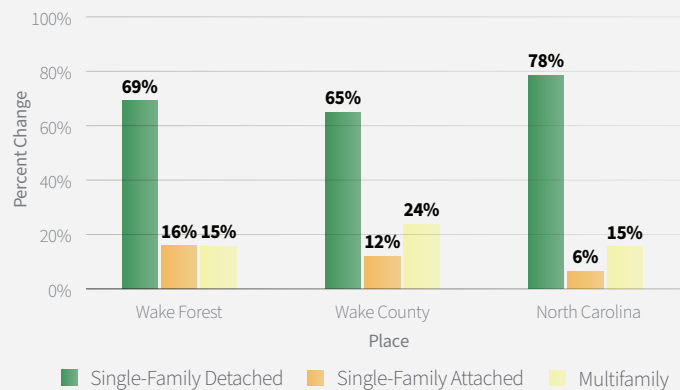


HOUSING TYPE & TENURE

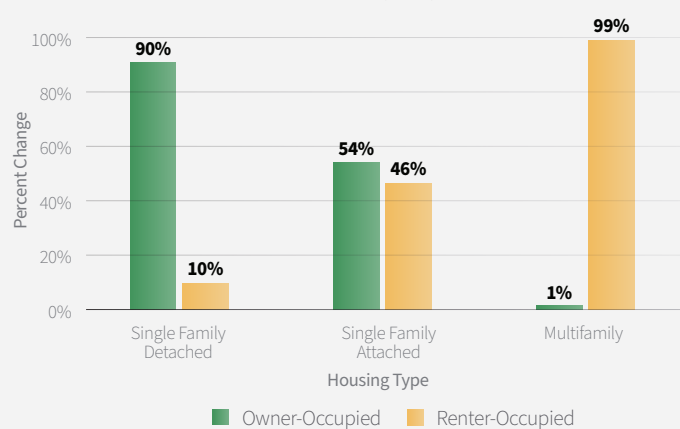
Wake Forest's housing stock is mostly owner-occupied single-family homes.

Single-family homes are the most common housing type in the Town at 69%, which is a greater proportion than the County (65%), but less than the State (78%). Single-family attached and multifamily housing make lower proportions at 16% and 15%, respectively. Homeownership rates among the housing types in Wake Forest are 90% for single-family detached, 54% for single-family attached, and 1% for multifamily. Since most of the Town's single-family housing is owner-occupied, multifamily housing will continue to be a critical rental option.

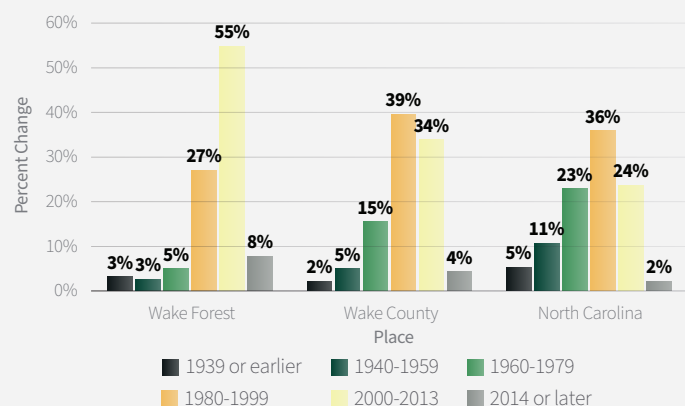
Housing by Type
(2018)



Housing by Type & Tenure
Wake Forest (2018)

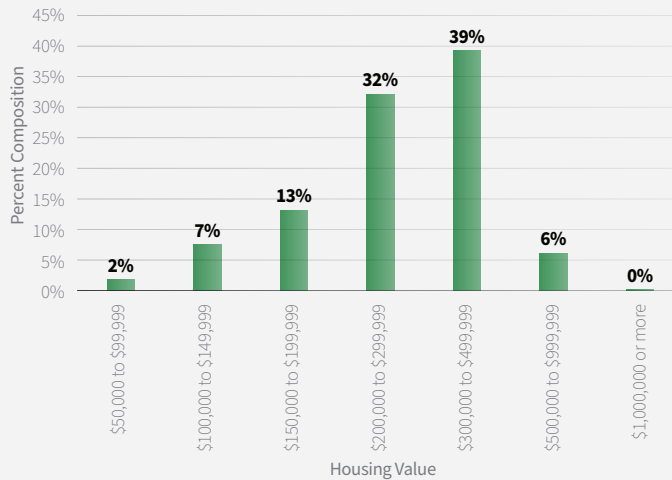


Housing Age



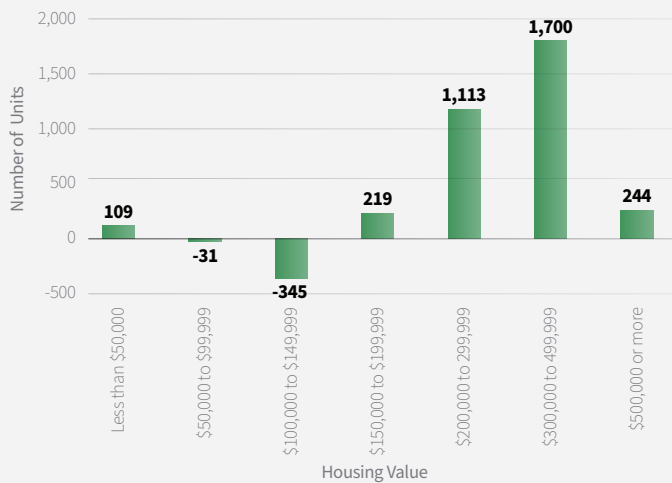
Housing Value

Wake Forest (2018)



Change in Housing Units by Value

Wake Forest (2010-2018)



HOUSING AGE & VALUE

Most of Wake Forest's housing was built in the last 20 years and there is a lack of new middle to lower income housing.

The majority of homes in Wake Forest were built between 1980 and 2013 (82%). The Town's rate of new housing construction was particularly high between 2010 and 2013 (55% of the housing stock)—more than double the County's. Wake Forest's homes are mostly valued between \$200,000 and \$499,999. Less than 1% of homes are valued at over \$1,000,000, and only about 2% of homes are valued under \$50,000, which shows the lack of housing on the extreme ends of the price spectrum. From 2010 to 2018, homes valued at \$300,000 to \$499,999 increased the most at 1,700 new units, followed by the \$200,000 to \$299,999 range with 1,113 new units. Homes valued between \$50,000 and \$150,000 experienced a decline or a small increase, highlighting the lower number of new housing options for middle to lower income residents.

PAST PLANS & STUDIES

It is important that the Community Plan respects relevant past planning efforts that have shaped the Town into what it is today. The review of the Town's past plans and studies ensures existing community policies and goals are carried forward within the Plan where relevant. The following section contains an overview of some of the Town's local past plans and studies. The overview is not a comprehensive list of the Town's past plans and studies as there may be other important plans relevant to land use planning.

Community Plan (2009)

The 2009 Community Plan establishes direction for community planning and growth management in Wake Forest for the following 10 to 15 years. The Plan addresses topics like residential, commercial, and industrial development; parks, open space, and greenways; transportation; quality of life; and Town appearance. The Plan's goals include maintaining the community's small-town character, revitalizing the Downtown, improving its multimodal transportation system, and enhancing access to parks and recreation. The Plan also addresses strategies for supporting affordable and quality residential neighborhoods, balanced and compatible commercial development, and local businesses and employment opportunities.

Further, sustainable growth is an important component of the Town's vision in the 2009 Community Plan, with an emphasis on discouraging leapfrog development patterns, single purpose subdivisions, and neighborhoods isolated from services and jobs. A Growth Strategy Map is included, which identifies future growth areas to better plan for the provision of municipal services, preservation of open space, and the density and character of new development.

This new Community Plan will serve as an official update to the 2009 Plan.

Comprehensive Transportation Plan (2019)

The 2019 Comprehensive Transportation Plan (CTP) is a long-range plan that provides recommendations to address the Town's multimodal transportation needs for the next 25 to 30 years. This includes improvements to highways and streets, pedestrian and bicycle infrastructure, and transit that will steer the Town towards providing a safe, efficient, flexible, innovative, and inclusive transportation system with a multitude of options for residents and visitors. Recommendations within the Plan include specific locations for new multi-use paths, bicycle lanes and sharrows, rail service, and a "reverse route" of the existing Wake Forest Loop bus service.

This Community Plan takes into consideration recommendations of the CTP where applicable to help guide land use and development that is supportive of the Town's goals for improved multimodal accessibility.

Renaissance Plan (2017)

The 2017 Renaissance Plan establishes recommendations for the revitalization of Wake Forest's historic Downtown. The Plan aims to create a vibrant core for the community that provides a place to live, work, and play for both locals and visitors. It also identifies key new development and redevelopment opportunities for mixed use, housing, retail, office, and dining. Mobility is a major theme carried throughout the Plan, with recommendations for enhancing the pedestrian environment, bikeability, and access to transit from within the Downtown. Further, the Plan sets the framework for urban design enhancements that promote a high quality of life, such as appropriate building height standards, continuous frontages, spatial enclosure, and gateway improvements.

This Community Plan builds on the Renaissance Plan, incorporating applicable recommendations while re-examining the future land uses in the Downtown (see the Downtown Area Plan on page 58).

Parks, Recreation & Cultural Resources Master Plan (2015)

The 2015 Parks, Recreation, and Cultural Resources Master Plan guides the Town in meeting the needs of current and future residents by enhancing and expanding on the community's unique parks, recreation, and cultural assets. The Plan includes a facility inventory, GRASP (Geo-Referenced Amenities Standards Process) Level of Service Analysis, needs assessment, and operational and marketing analysis, that inform recommendations on how to enhance existing facilities while pursuing opportunities for new facilities and improvements. Issues identified include the need for better circulation systems within parks, increased connectivity to the trail system, enhanced open space integration into parks, and better provision of park facilities west of Capital Boulevard and south of Dr. Calvin Jones Highway (Hwy 98).

This Community Plan supports the Master Plan and provides high-level recommendations for expanded access to parks, recreation, and cultural resources.

Historic Preservation Plan (2012)

The 2012 Wake Forest Historic Preservation Plan outlines the Town's current preservation funding and oversight mechanisms, historic preservation-related activities and projects, and lists of the Town's historic districts and landmarks. The plan also provides a set of policies that provide the framework for the Town's approach to historic preservation. A summary of a community workshop that was hosted by the Wake Forest Historic Preservation Commission is included in the appendix.

The Community Plan promotes coordination with the Historic Preservation Plan and encourages new development and redevelopment within historically significant areas to complement the existing historic character.

Northeast Community Plan (2021)

The Northeast Community Plan recommends policies and actions to address the current and future needs of the Northeast Community in Wake Forest. The Plan aims to help preserve the history, diversity, and affordability of the area while addressing issues of growth, economic health, public infrastructure, and preservation. The update to the Northeast Neighborhood Plan was underway during the development of the updated Community Plan, and the two project teams met multiple times throughout the planning process to ensure alignment of the Plans.

While the Community Plan does not provide recommendations for the Northeast Community Plan, it ensures surrounding uses are supportive of the neighborhood's vision and goals.

COMMUNITY OUTREACH

Community engagement was an essential component of developing the new Community Plan, supporting a bottom-up approach to the development of the Town's vision, goals, and objectives. Outreach gave residents, local business community, Town staff, and community stakeholders a chance to be heard and an opportunity to take part in shaping the future of the Town. Outreach events were promoted through the project page on the Town's website. Online surveys and an online mapping tool were available throughout the community outreach phase of the planning process.

Community Advisory Panel

A Community Advisory Panel was formed to serve as a sounding board for the Community Plan and Future Land Use Map. The Panel consisted of 12 community stakeholders, most of which were residents, with a diverse range of local expertise regarding Wake Forest. The group met four times to provide valuable feedback to Town Staff and the Board of Commissioners during the planning process on key issues, overall policy direction, Plan content, and recommendations as they were developed.

Board of Commissioners & Planning Board Work Sessions

Four Work Sessions were conducted with the Board of Commissioners and Planning Board to discuss the overall direction and policy issues facing the community. The Work Sessions gathered ideas and feedback from Town officials to ensure that the Plan accurately captures the shared sentiments of the leaders of the community.

Business Focus Group

On October 7, 2020, the Town of Wake Forest and the project consultant team hosted a virtual Business Focus Group with seven participants targeted specifically to property owners, business owners, and developers. The purpose of the workshop was to gain feedback from business community members who have a unique insight on important factors facing the Town and its business climate.

Key Person Interviews

Key person interviews were conducted in October 2020 with 21 people to gain first-hand insight into the community from a diverse array of specialized perspectives. The project team worked with Town staff to identify which individuals and groups to be interviewed. Interviewees included a variety of stakeholders, such as representatives of the development community, business owners and operators, adjacent communities, and other institutional and civic groups.





Offer your input during interactive
Visioning Workshops
VIRTUAL THROUGH ZOOM
April 13 ■ 6:30–8 pm
April 17 ■ 10–11:30 am
The Town of Wake Forest is updating the **Community Plan** and **Future Land Use Map**. The updated plan will serve as an important guide for future decision-making.

The workshops will include...

- ▶ Short presentation on existing conditions in Wake Forest
- ▶ Highlights of important issues and key opportunities to include in the plan
- ▶ Interactive polling using your smartphone, computer or tablet

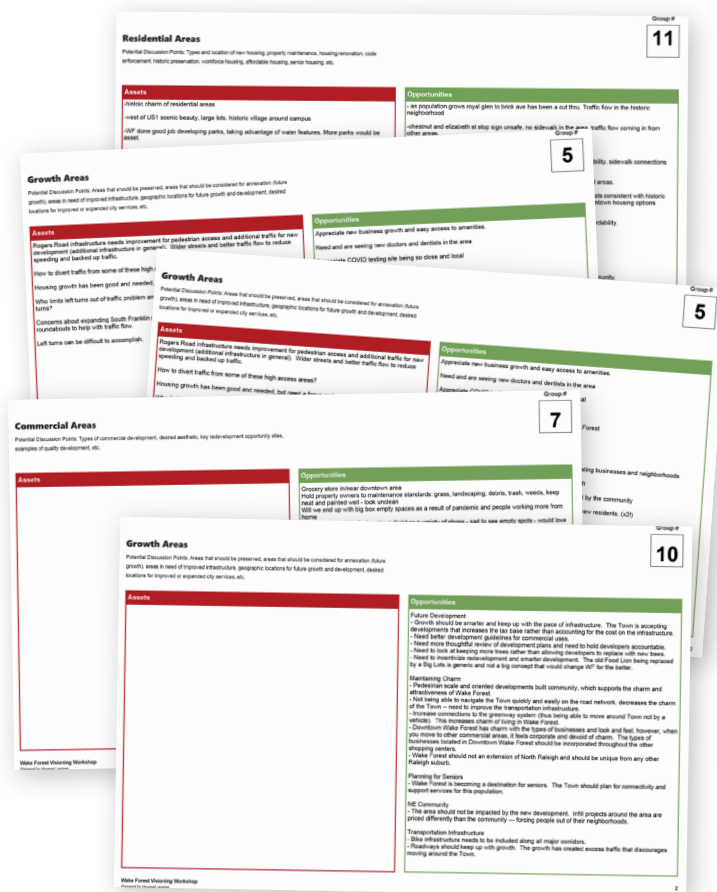
Register Now

Your input is essential to crafting the vision for the town. Pre-register for the workshop at wakeforestnc.gov/community-plan

Questions? Contact Assistant Planning Director Jennifer Currin, jcurrin@wakeforestnc.gov, 919-435-9510

POST CARDS

Post cards were mailed to all addresses (residential and commercial) within the Town limits, ETJ, urban service areas, and areas within annexation agreement boundaries. The post cards informed community members about the Community Plan and promoted the Community Survey, Visioning Workshops, and Open House.



Our Town Newsletter

A cover story on the Community Plan was included in the July/August edition of Wake Forest's Our Town newsletter, and additional articles were included in the September/October and November/December editions (mailed to every home in the 27587 zip code).

Open House Series

On February 1, 2022, the Town of Wake Forest and Houseal Lavigne's project consultant team hosted two in-person Open House events at the Flaherty Park Community Center. The events provided residents, business owners, and stakeholders the opportunity to share their thoughts and opinions on Wake Forest's long-term vision, vitality, and sustainability as captured in the draft Community Plan and Future Land Use Map. Each event was two hours long in an informal, open house-style format where attendees could review Plan elements, discuss key issues and priorities, and provide comments on Plan content. A total of 245 community members attended the Open House series.

IMPACTS OF COVID-19

The planning process took place during the COVID-19 pandemic, which prompted adjustments to the project timeline and outreach strategy. The project team was able to pivot and effectively engage residents and stakeholders by leveraging online and social media platforms and providing virtual meetings, workshops, and tools aimed at allowing people to actively participate in the planning process from home. Throughout the project, the public was able to see presentations, ask questions, provide input, and remain actively and effectively engaged.

VIRTUAL VISIONING WORKSHOPS (THREE)

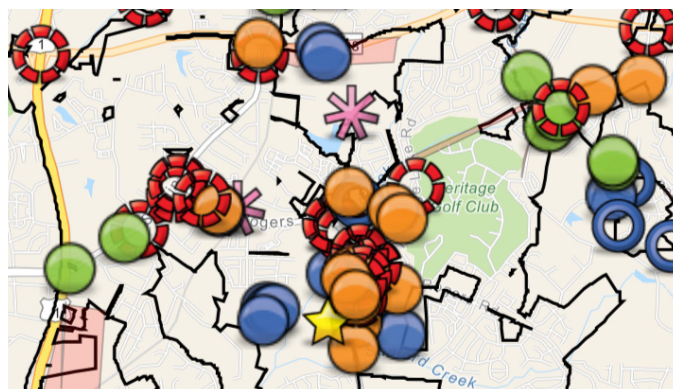
On April 13, 17, and 22 of 2021, the Town of Wake Forest and Houseal Lavigne's project consultant team hosted three virtual Visioning Workshops. A total of 225 people attended the workshop series, providing feedback on key issues and opportunities in the Town to help shape the vision and goals of the Plan. Attendees participated in a live polling activity and breakout rooms for group discussions, where Town staff recorded feedback on virtual workshop packets. The feedback received was synthesized to form the vision and goals of the Plan.



map.social

Using map.social, an online mapping tool, over 117 points of interest were mapped by community members through the planning process, which identified locations of existing assets, issues, and opportunities within Wake Forest. Participants created personalized maps that pinpointed the following elements:

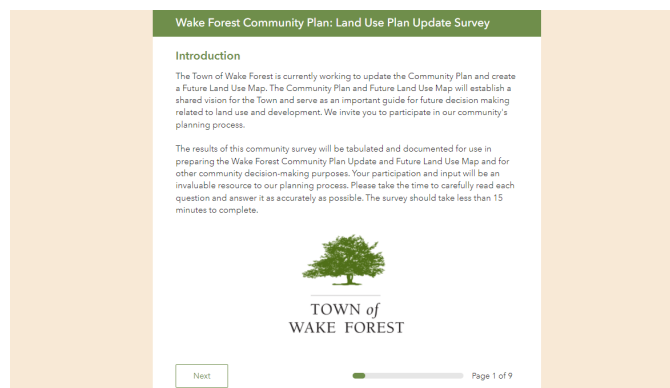
- Community assets
- Public safety concerns
- Development priority sites
- Problematic intersections
- Undesirable uses
- Key transit destinations
- Desired uses/developments
- Poor appearance areas
- Other (for elements not included in the categories above)



Online Surveys

The following online surveys were available through the project website to gain input from a wide variety of residents, business community members, property owners, and other community stakeholders:

- **Community Survey** – available to all community members to gain input on issues and opportunities regarding residential areas, commercial and industrial uses, community facilities, parks and recreation, and image and identity within Wake Forest. (1,316 respondents)
- **Vision and Goals Survey** – available during the visioning phase of the planning process to receive input on desirable types of land use and development and preliminary vision and goal topics. (229 respondents)



Planning

Addressing & Street Naming
Annexations
Citizens Planning Academy
Community Plan
Development
Development Services
Electronic Plan Review
Fence Permits
Flood Damage Prevention
Greenways
Long Range Planning
Maps, Plans & Ordinances
Planning Board Academy
Planning Forms & Applications
Sign Permitting
Subdivision & Site Plan Review
Unified Development Ordinance
Zoning
Zoning Enforcement

Community Plan

Community Plan Open House
Tuesday, Feb. 1
11 am-1 pm
6:30-8:30 pm
Flaherty Park Community Center, 1226 N. White St.

The DRAFT Community Plan and Future Land Use Map is ready for your review. The plan will be posted online Tuesday, Jan. 11.

Please join us for one of two drop-in style Open Houses on Tuesday, Feb. 1, at the Flaherty Park Community Center, 1226 N. White St.

- 1st Session: 11 am-1 pm
- 2nd Session: 6:30-8:30 pm

Community Plan Overview

What will Wake Forest look like in 20 years? The answer to that question is up to you. It is up to all of us.

The Town of Wake Forest currently relies on the adopted Town of Wake Forest Community Plan and Growth Strategies Map as a policy-based comprehensive plan with an action agenda to achieve implementation. The Community Plan was adopted in 2009 and it contains the vision statements, policies, and actions that have guided growth in the Town of Wake Forest for the last 10 years. The current plan is broken into the key sections: Town Areas; Town Transportation; Town Appearance; Growth Management; Quality of Life; and Growth Strategy Map.

However, it is time to update this plan! Why is updating the plan so important? The Wake Forest Community Plan Update and Future Land Use Map will create a blueprint for our future—a land use plan to guide the Town in its decision-making for the next 10 years.

Not only is it recommended that plans are updated every 10 years, but N.C.G.S. Session Law 2019-111 requires that for a town to retain zoning, the town must also have adopted a Comprehensive Plan by July 1, 2022, which further indicates the importance of a comprehensive plan.

This Plan will outline the community's vision and guide development and investment in Wake Forest for the next 10 to 20 years. This 2-year process will result in a set of policies that direct future growth and will lead to potential strategies to help effectively guide Town leaders in making substantive and thoughtful decisions for the community.



COMMUNITY PLAN

Jennifer Curdin
ASSISTANT PLANNING DIRECTOR
919-435-9517

RESOURCES

2009 Community Plan
2020 BOC Presentation

SURVEY RESULTS
Community Survey.81

VISION & GOALS
Vision and Goals Memo

September 7, 2021 BoC Presentation

September 8, 2021 Planning Board Presentation

VISIONING WORKSHOPS

April 13 Presentation

Meeting

April 17 Presentation

Meeting

April 22 Presentation

Meeting

ADVISORY PANEL MEETINGS

October 6, 2020

Meeting Presentation

Online Promotion

The following online promotion was conducted to spread the word on the Community Plan and ways to get involved:

Promotional Video

A video was created to promote the Community Plan and encourage community members to get involved. This video was viewed over 2,000 times.

News Releases

Four news releases were distributed to promote the April 13, 17, and 22, 2021 Visioning Workshops. News releases for the Open House were sent to all local news outlets and posted on the Town website on January 12 and 31, 2022.

Engage Wake Forest

Information about the Community Plan was shared on the engagement platform, including dates of key events, Plan materials and draft documents, and FAQs about the planning process. The Community Plan project page received 1,000 visits to and 29 responses to posted questions.

Town-to-Resident Text & Email Notification System

A email and text message promoting the Open House was sent via Blackboard Connect (16,742 recipients).

Town of Wake Forest App - About 21,000 devices

Reminders about the Community Survey were sent on October 21 and December 16, 2020, and reminders about the Visioning Workshop were sent on April 8 and 16, 2021. Open House push notification reminders were sent on the morning of February 1, 2022.

Nextdoor – About 18,000 members

Reminders about the Community Plan process and the Community Survey were posted four times between September 18 and December 15, 2020 (seen by over 5,000 Nextdoor members). Six reminders were posted about the Visioning Workshops (seen by over 5,000 Nextdoor members). Open House reminders were posted on January 12, 25, and 31, 2022.

E-Alert – About 9,000 email subscribers

An email with a link to the Community Survey was sent on September 28, 2020. An email notice about the availability of draft Community Plan and the Open House was sent on January 12, 2022.

Facebook – About 23,400 followers

Between September 28, 2020 and January 1, 2021 reminders were posted on the following Facebook pages: Town of Wake Forest, Wake Forest Community Info, Advancing Wake Forest, Heritage Wake Forest, and Real Wake Forest Info (seen by over 26,000 people). Between March and April, 2021, 10 reminders were posted on Facebook promoting the Visioning Workshops (seen by over 5,000 people), and on January 10, 12, 18, 25, 27, and 31 and February 1 of 2022 for the Open House.

What's Up in Wake Forest – About 12,000 subscribers

Reminders about the Community Plan and the survey were included in each weekly edition from September 25 through December 21, 2020. Reminders about the Visioning Workshops were included in each weekly addition from March 26 to April 16, 2021, and for the Open House on January 14, 21, and 28, 2022.

Twitter - About 5,000 followers

Tweets were posted on January 10, 12, 18, 25, 27, and 31, and February 1 of 2022 promoting the Open House.

Instagram – About 7,100 followers

Eight reminders were posted promoting the Open House, including pictures on the day of the event.

LinkedIn - About 1,100 followers

Eight reminders were posted promoting the Open House.





Vision & Goals

Driven by community and stakeholder input, this chapter details the Community Plan’s vision and goals, which provide the framework for planning recommendations, policies, projects, and actions expressed within the Wake Forest Community Plan.

The Vision Statement is an aspirational narrative that paints a picture of what the Town can achieve following the adoption of the Community Plan. The narrative depicts the community’s collective desires and serves as the foundation for the Plan’s goals, recommendations, and actions.

The Goals describe desired results towards which planning efforts should be directed. They are broad and long-range. They represent an ambition to be sought and require the culmination of many smaller actions to be fully achieved. The Goals are listed in alphabetical order and each are of equal importance.

VISION STATEMENT

The Town of Wake Forest will continue to prosper as a highly desirable community that preserves its small-town charm while fostering new growth opportunities. Smart, sustainable growth strategies will guide future development, with an enhanced focus on preserving open space, maintaining a lush tree canopy, and ensuring sufficient infrastructure is in place. The Town will support a balanced mix of uses where residents can live comfortably near employment areas, easily access job opportunities, and enjoy a variety of local shops, restaurants, and recreation amenities catering to all ages. Both new and existing neighborhoods will support a diverse range of housing choices and receive an equal share of public investment. Residents will reach regional and community destinations safely and easily via a robust public transit, pedestrian, and bike network.

Wake Forest's economy will flourish, showcasing an entrepreneurial spirit that welcomes innovation, creativity, and collaboration. Residents will have access to a variety of local shops and restaurants, while flexible office spaces and employment centers will generate jobs and strengthen the Town's tax base. Downtown will continue to expand while maintaining its historic character, serving as the hub of civic activity, community events, and entertainment. Future development will be high quality and support a vibrant mix of uses exhibiting the unique character that sets Wake Forest apart from other communities within the Research Triangle.

GOALS



Balance the Mix of Uses

Support a balanced mix of uses that create attractive residential areas, well-paying employment opportunities, and an abundance of recreation options.



Encourage Growth & Activity in Downtown

Continue efforts to revitalize and extend Downtown into a lively, pedestrian-friendly center of civic activity that provides places to eat, shop, and enjoy outdoor public gathering spaces.



Expand & Maintain Wake Forest's Green Spaces

Enhance, expand, and maintain the Town's open space and tree canopy as growth occurs, and balance the preservation of the urban tree canopy with personal property rights.



Establish Safe & Connected Public Transit Options

Establish a well-connected public transit system that improves access to regional and local destinations while supporting transit-oriented development.



Maintain the Historic, Small-Town Charm

Reinvest in established neighborhoods, preserve historic assets, and ensure the quality design of future development to maintain Wake Forest's unique charm and desirability as a place to live.





Provide Diverse Housing Opportunities

Ensure Wake Forest provides a range of housing choices for residents of all income levels, stages of life, and abilities.



Support Strategic Growth

Prioritize infill development and ensure the necessary infrastructure is in place to support future growth.



Support a Pedestrian-/Bicycle-Friendly Community

Establish a highly-connected network for active modes of transportation to ensure residents can safely and conveniently travel between their neighborhoods, shopping areas, and other community destinations without a car.



Support Unique, Thriving Businesses

Support small businesses, innovative industries, and diverse employment opportunities to strengthen the Town's tax base and increase its job, retail, and service options.



Land Use & Development

From long-standing residential areas surrounding the historic Downtown to new neighborhoods like Heritage and Traditions, the community has grown from a Town of 5,769 residents in 1990 to one of 47,601 in 2020. With Wake Forest's population projected to more than double over the next two decades, it is critical that the Town plans ahead to ensure it can accommodate the growing resident body while continuing to support high quality of life for all.

The Wake Forest Community Plan addresses this by providing policy and direction for future land use and development for the next coming years. The Land Use Plan chapter is a high-level policy guide, indicating the type, intensity, and location of land uses and long-range investment. The chapter builds upon existing uses and patterns of development within the community, including areas within the Town's planning jurisdiction and growth areas. The Land Use Plan aims to establish a sustainable, compatible, and desirable mix of uses to meet the needs of current and future residents, while preserving the Town's assets and character that makes it unique in the region.



WHY IS A LAND USE PLAN IMPORTANT?

The Community Plan includes Wake Forest's new comprehensive land use plan that creates a long-term vision for the Town to implement over the next 10 to 20 years. It presents a cohesive vision that is representative of Wake Forest's residents, the business community, and community stakeholders.

Planning for future land use and development is important in ensuring the Town grows in a sustainable and attractive manner over the long term. This includes finding a balance between supporting regional growth pressures and housing demand while preserving Wake Forest's unique community character and assets.

Growth is undeniably here and happening in Wake Forest. It is critical that the Town identifies locations and strategies to accommodate housing, employment, and entertainment for the increasing population. The Community Plan establishes key recommendations for where and how future development should occur to ensure the Town grows in a strategic manner. Unlike the previous Community Plan, a Land Use Plan map is included in this Plan, which identifies where each type of future land use should be accommodated to ensure growth occurs strategically and is compatible to the existing context.

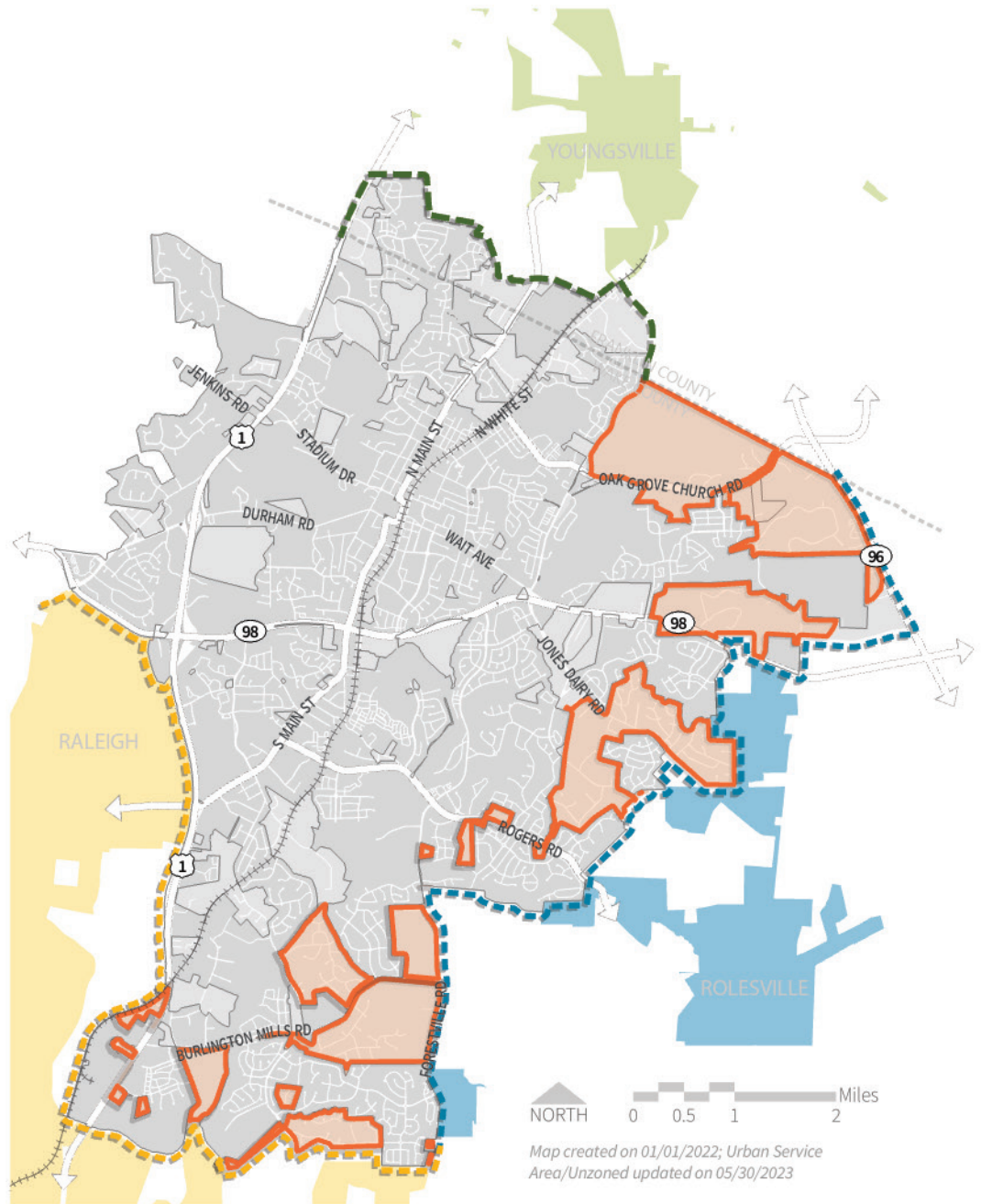
SUSTAINABLE GROWTH

To strategically plan for growth, Wake Forest's future land use and development must build off the Town's existing context, planning jurisdictions, and growth areas. The following section outlines the areas where the Town can plan. It presents a growth strategy to guide targeted, efficient, and sustainable growth.

PLANNING JURISDICTION

Wake Forest is primarily located within Wake County, with a small portion of its northern planning area located within Franklin County. The Town shares direct borders with the City of Raleigh to the south and southwest, the Town of Rolesville to the east, and the Town of Youngsville to the north. According to Chapter 160D Article 2 of the North Carolina General Statutes, the Town of Wake Forest is authorized to plan for all incorporated areas within its corporate limits as well as within its extraterritorial jurisdiction (ETJ). An ETJ includes areas outside a municipality's corporate limits in which it can apply its planning and development regulations.

While State Statute grants a municipality with a population of 25,000 people or more the ability to plan for areas within three miles of its corporate boundary, Wake Forest's planning jurisdiction is instead shaped by formal boundary agreements with its neighboring communities. The Town also has Urban Service Areas that identify potential locations for future water and sewer infrastructure extensions. Together, these create a defined planning area that includes approximately 17,000 acres of land, about 12,000 acres of which is incorporated and about 5,000 acres of which is unincorporated land.



PLANNING JURISDICTION

- Raleigh Boundary Agreement
- Raleigh
- Rolesville Boundary Agreement
- Rolesville
- Youngsville Boundary Agreement
- Youngsville
- ▭ Urban Service Area/Unzoned
- + Railroad
- Within Town Limits
- Extraterritorial Jurisdiction (ETJ)

GROWTH STRATEGY

As Wake Forest continues to experience significant growth, it must balance preserving the character of the Town's established neighborhoods and supporting new residents and development in appropriate locations. A sustainable and efficient approach to growth will need to prioritize investment in existing infrastructure and established neighborhoods within Town limits before outward expansion. While the Land Use Plan designates where different types of development should be accommodated within the Town's planning area, a comprehensive approach must be taken to guide decisions related to short-, medium-, and long-term growth opportunities and public investment.

The growth strategy is guided by the following objectives:

- Prioritize infill development and reinvestment in established neighborhoods to maximize developable areas while maintaining the existing character.
- Focus development, redevelopment, and infrastructure improvements within Town limits and unincorporated pockets first before expanding into the eastern growth area.
- In the review and approval of proposed development, encourage development of areas that would not require annexation of non-contiguous land. If a non-contiguous area is proposed, work with applicants to explore more suitable land for the development if available.

Promoting Context-Sensitive Infill

Infill development is when a vacant, abandoned, or underutilized property is developed within an area that is largely built out. It supports sustainable development by reducing premature outward growth and greenfield development, while promoting land conservation and reinvestment in neighborhoods. As infill occurs, it is important that new development respects the character of existing neighborhoods while accommodating opportunities for a range of context-sensitive housing options that provides greater housing choices and commercial options. Base zoning district standards should be reviewed and updated to ensure they allow for higher densities while conforming to the surrounding context. Factors to consider include parking orientation and maximums, lot widths, setbacks, and building heights relative to adjacent properties. Incentives for infill development should also be evaluated, such as reduced permitting fees, increased maximum densities, and/or allowable building height.

Enhancing Infrastructure with Growth

Ease of mobility and access to quality utility services are key factors to high quality of life. As the Town continues to grow, it is important that infrastructure is improved and expanded to support the increasing population. As development proposals come online, the Town should continue to work with developers to assess impacts on roadway and utility infrastructure, ensuring necessary improvements are implemented to support new and existing residents. This includes mitigating traffic congestion as required by the UDO and State law, which was frequently cited as a concern by community members. Together with improving roadway capacities for vehicles, supporting multimodal connectivity and pedestrian-friendly environments will play a critical role mitigating congestion, while providing more equitable access to community destinations and enhancing quality of place.

LAND USE PLAN

The Land Use Plan outlines a vision for how land is developed and established neighborhoods are maintained within Wake Forest. It was created with an understanding that land use and development patterns have significant implications for the appearance, character, form, and function of the community. Building upon extensive community outreach, market realities, and regional development trends, the Land Use Plan seeks to ensure Wake Forest remains a livable, desirable, and sustainable community while continuing to grow, develop, and diversify.

The Land Use Plan identifies 10 distinct future land use designations within Wake Forest's planning area. The subsequent Residential, Commercial and Industrial, and Downtown Area Plans build on the Land Use Plan and provide specific policies and recommendations for each contributing land use and key development area within the Town.

- Conventional Residential
- Mixed Residential
- Transit-Supportive Residential
- Neighborhood Commercial
- Downtown
- Corridor Commercial
- Office, Civic & Institutional
- Light Industrial
- Parks & Open Space
- Utility



RENAISSANCE PLAN

The study area for the 2017 Renaissance Plan establishes recommendations for the revitalization of Wake Forest's historic Downtown. For further discussion on the Downtown, see page 58.



NORTHEAST COMMUNITY PLAN

The study area for the 2021 Northeast Community Plan provides detailed policies and actions to address the current and future needs of the Northeast Community including land use, economic development, and housing. For future land uses recommendations in this area, see the Northeast Community Plan.

Conventional Residential

Description:

Conventional Residential areas consist of a mix of housing types that resemble the character and form of traditional single family neighborhoods. This can include single-family homes as well as single-family attached and multifamily developments that appear like a single-family home, such as duplexes, cottage home courts, and townhomes. This land use category consists of Wake Forest’s long standing and newer neighborhoods and residential areas in the Glen Royall Mill Village National Historic District, the Wake Forest National Register District, and the Wake Forest Local Historic District. A mixture of lot sizes and dwelling sizes should be encouraged, with heights ranging from two to three stories. Conventional Residential areas should incorporate pocket and neighborhood-scale parks, public gathering spaces, community gardens, and trails that serve surrounding residents. Conventional Residential areas may incorporate commercial corner stores located at key entry points and intersections (page 62 in the Additional Considerations chapter provides additional location and design recommendations).

Primary Uses:

- Single-Family Detached
- Accessory Dwelling Unit
- Duplex
- Cottage Home Court
- Townhome
- Triplex/Quadplex

Supporting Uses:

- Commercial Corner Store
- Parks and Open Space
- Multi-Family



Example of an accessory dwelling unit (ADU)
Source: County of San Mateo



Mixed Residential

Description:

Mixed Residential areas consist of planned developments that contain a wide mix of housing types, ranging from single-family homes to multifamily development. Such diversity in housing types provides opportunities to expand housing choices within the Town in a neighborhood environment. This land use category typically features smaller lot sizes and taller building heights than Conventional Residential areas. Where possible, Mixed Residential areas should serve as a transition from more intense development such as Transit-Supportive Residential and Neighborhood Commercial centers to Conventional Residential neighborhoods. Like Conventional Residential areas, Mixed Residential areas should incorporate pocket and neighborhood-scale parks, public gathering spaces, community gardens, and trails that serve surrounding residents. Mixed Residential areas may incorporate commercial corner stores located at key entry points and intersections (page 62 in the Additional Considerations chapter provides additional location and design recommendations).

Primary Uses:

- Single-Family Detached
- Accessory Dwelling Unit
- Duplex
- Cottage Home Court
- Townhome
- Triplex/Quadplex
- Two-Over-Two

Supporting Uses:

- Commercial Corner Store
- Parks and Open Space
- Multi-Family
- Senior Housing Facility
- Professional Service



Transit-Supportive Residential

Description:

Transit-Supportive Residential areas include compact residential areas featuring a variety of higher intensity housing types, like apartment buildings and two-over-twos. Such housing types can feature shared building entrances, stairways, hallways, and amenities, with taller building heights and stacked units. This land use should continue to provide greater housing variety and density near Neighborhood Commercial and Corridor Commercial areas to allow more residents to live close to amenities. This includes along existing and future bus routes and transit hubs to sustainably reduce reliance on vehicles. High walkability and bikability should be promoted with well-connected sidewalks, trails, and bicycle routes, and parking lots located to the rear. This land use should provide a transition between lower density single-family residential areas and more intense land uses, such as office campuses and industrial areas. Small-lot or compact single-family developments are also appropriate.

Primary Uses:

- Multi-Family
- Two-Over-Two

Supporting Uses:

- Townhome
- Senior Housing Facility
- Commercial Corner Store
- Parks and Open Space
- Professional Service
- Mixed Use



Neighborhood Commercial

Description:

Neighborhood Commercial uses include local-serving commercial nodes that provide surrounding residents with convenient access to day-to-day goods and services. Examples include hair salons, cafes, dry cleaners, restaurants, and small grocery or convenience stores. Neighborhood Commercial uses should support compact, pedestrian-oriented, mixed use environments with building scales compatible with adjacent residential areas. In cases other than adaptive reuse, new Neighborhood Commercial uses should include vertical mixed use buildings with ground-floor commercial and upper-story residential or office. They should be located along the Town's major roadways or intersections to provide a transition in intensity to more intense commercial areas and residential neighborhoods. High levels of pedestrian and bicycle access to residential areas should be emphasized, with well-connected sidewalks, trails, and bicycle routes ensuring residents can easily access Neighborhood Commercial nodes without having to drive. Future transit service expansions should target Neighborhood Commercial centers.

Primary Uses:

- Commercial Retail and Service
- Food and Drink
- Office
- Mixed Use

Supporting Uses:

- Institutional and Civic
- Entertainment and Cultural
- Public Gathering Space
- Live-Work
- Upper-Story Residential



Source: The Waterfront Vancouver



Source: Culinary Agents



Source: Gramor Development

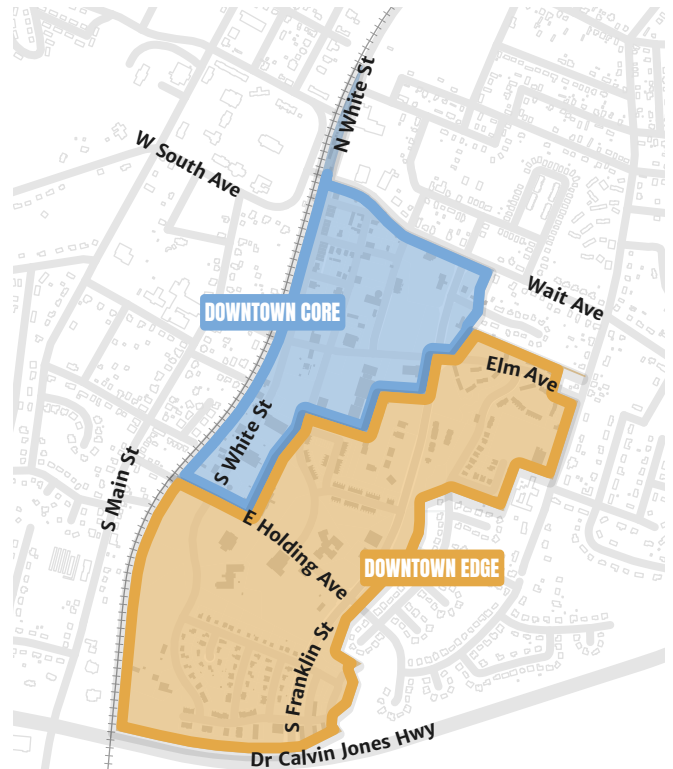
Downtown

Description:

Downtown includes two primary areas: the Downtown Core and the Downtown Edge. The Downtown Core should continue to serve as the historic heart of the Town and the center of culture, tourism, and civic activity. This includes integrated public gathering spaces that support social interaction and community events. The Downtown Core's streetscape should be activated with ground-floor commercial businesses and upper-story office uses. Higher density residential uses should be supported in the Downtown Edge or in the upper floors of Downtown Core mixed use buildings to increase living options near the Downtown's amenities. For more information on the Downtown, see the Downtown Area Plan on page 58.

Primary & Secondary Uses:

See page 58 for a more detailed breakdown of supported uses within Downtown.



Corridor Commercial

Description:

Corridor Commercial uses include auto-oriented retail and service businesses, such as large-scale shopping centers, grocery stores, restaurants, gas stations, and hotels. Standalone office uses are included within this designation. Corridor Commercial areas serve patrons from within Wake Forest and the region and play a role in strengthening the Town's tax base. Corridor Commercial uses should be situated at highly visible and accessible locations along the Town's major roadways, including Capital Boulevard, Rogers Road, and Dr. Calvin Jones Highway. Surface parking lots should be strongly encouraged to be behind buildings. Internal sidewalks, bikeways, and bicycle parking should be provided to link Corridor Commercial uses to the larger active transportation network. Transit access should be strengthened to Corridor Commercial destinations to improve multimodal connectivity.

Primary Uses:

- Commercial Retail and Service
- Food and Drink
- Hotel

Supporting Uses:

- Office
- Entertainment and Cultural
- Institutional and Civic
- Public Gathering Space



Office, Civic & Institutional

Description:

Office, Civic, and Institutional uses contain large-scale, standalone office developments, like corporate headquarters or hospitals, and clusters of smaller-scale offices, like professional services, legal firms, and medical offices. It also includes local government uses, municipal facilities, community service providers, educational facilities, and religious institutions. Examples include Town Hall, fire stations, places of worship, the Wake Forest Community Library, Wake County public schools, charter schools, private schools, and the Southeastern Baptist Theological Seminary. This land use should support local employment opportunities within Wake Forest and be well connected to the multimodal network to provide residents access to community services. Concentrations of Office, Civic, and Institutional uses should incorporate a campus-style site design, with internal pedestrian pathways, ample landscaping, and clear signage of businesses at the entrance. The improvement or expansion of existing community facilities and the development of new facilities should be accomplished through close coordination with respective agencies and governmental entities.

Primary Uses:

- Office
- Institutional and Civic
- Medical

Supporting Uses:

- Commercial Retail and Service
- Higher Education Residential
- Public Gathering Space



Light Industrial

Description:

Light Industrial uses diversify the Town's tax base and provide local employment opportunities. They include facilities involved in the manufacturing, processing, storage, and distribution of goods and materials; telecommunication facilities; research centers; R&D/life sciences facilities; tech industries; and flex spaces. Light Industrial uses should feature large-scale, typically single-story buildings that produce minimal outdoor activity. Light Industrial uses should be concentrated in campus-style industrial parks located near major roadways, with sufficient setbacks and screening to reduce visibility and noise impacts on surrounding uses. Compatible office uses that offer supporting services may be appropriate, as well as accessory commercial uses within industrial buildings, such as a furniture maker with a showroom.

Primary Uses:

- Industrial

Supporting Uses:

- Office



Source: Encore TechLab



Parks & Open Space

Description:

Parks and Open Space includes designated public park spaces managed by the Wake Forest Parks, Recreation, and Cultural Resources Department, as well as golf courses and cemeteries. Open space includes land preserved as natural areas or for outdoor recreational purposes. Efforts to provide equitable public park access and quality programming across the community should be pursued through close coordination with the Parks, Recreation, and Cultural Resources Department.

Primary Uses:

- Parks and Open Space
- Greenway
- Conservation Area
- Cemetery

Supporting Uses:

- Institutional and Civic



Utility

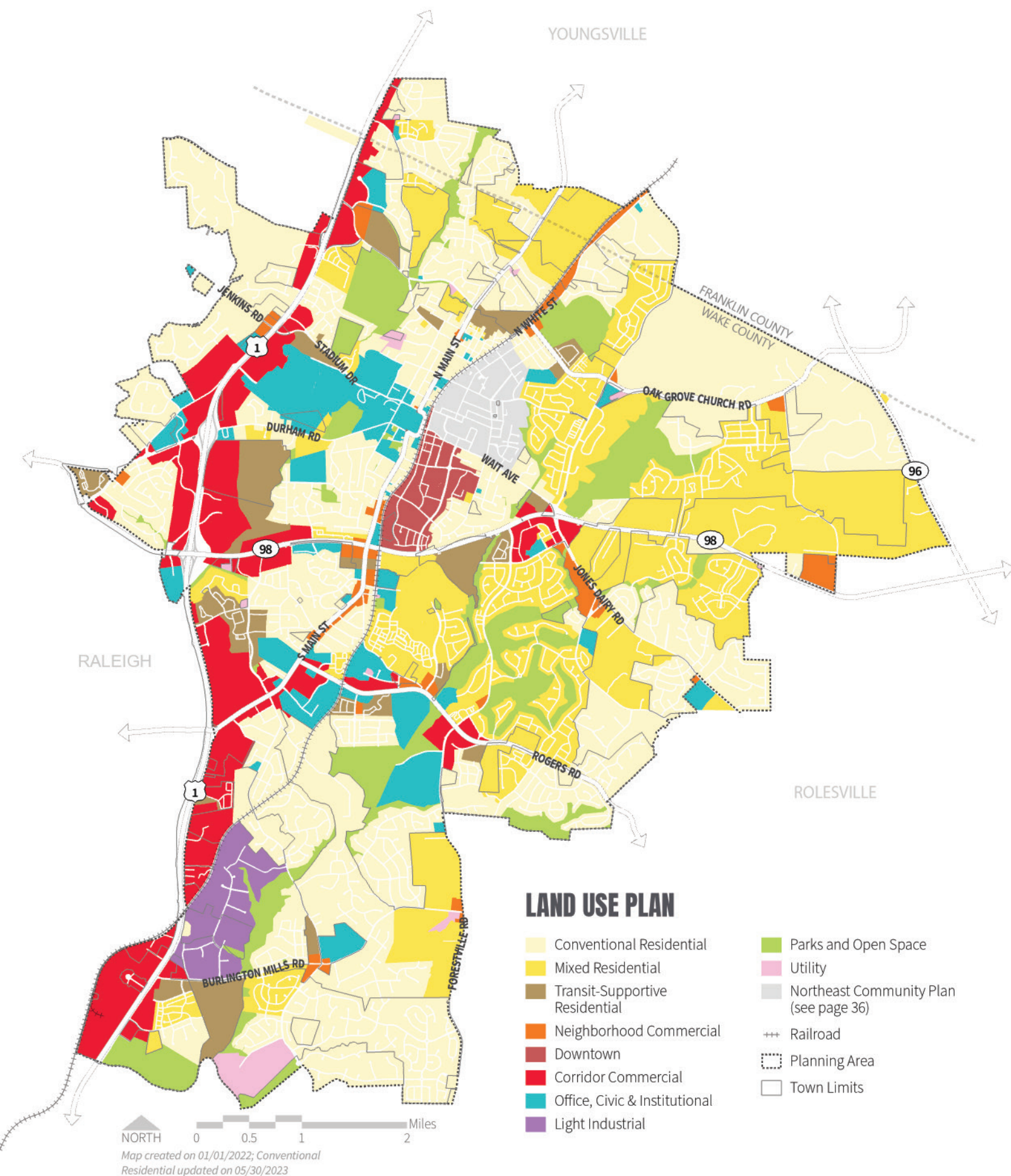
Description:

The Utility land use designation includes utility infrastructure, such as electrical substations and water treatment facilities. Utility uses should be reserved for maintaining the facilities and other infrastructure essential to the operation of the Town. Unattractive facilities should be well screened from neighboring uses to maintain high quality character in the community.

Primary Uses:

- Utility Infrastructure
- Water and Sewer Facility





TOD & ACTIVITY CENTER AREAS

The following section provides guidelines for Transit-Oriented Development (TOD) and Activity Centers that should be applied to the identified areas in addition to their underlying land use designations. These areas have a pedestrian focus with the aim to support a vibrant mix of uses, multimodal connectivity, and high levels of activity.

Transit-Oriented Development

Three potential S-Line stations are being considered in Wake Forest for a local commuter and regional intercity rail service (see page 78 for more information). They present a major opportunity to support highly walkable, active environments, with the most urban and compact development in Wake Forest. TOD should be concentrated around future stations (within about a half mile radius) to provide a critical mass of development and a mix of uses to support and fully leverage the key transit service. Uses should include commercial retail and service, office, residential, and employment, with a focus on mixed use development. Surface parking lots should be limited and oriented to the rear of buildings, with on-street parking and parking garages taking precedence due to higher walkability and access to transit. Streets should be designed to encourage walking and biking, with small blocks, wide sidewalks, safe crossings, bicycle routes and parking stations, and buildings near the property line. If a S-Line station is located in Downtown, a careful balance must be met between supporting future transit-oriented development and preserving the existing historic character.

Activity Center

Activity centers are unique focal points of the community where residents can gather, socialize, live, work, and shop. They should serve as hubs of art, culture, entertainment, and community events where residents can spend time and build a sense of community. They should comprise a wide variety of uses in a pedestrian-scale environment that enhance the quality of life, create a distinct sense of place, and provide a living experience unique to Wake Forest. Examples include local restaurants, cafes, breweries, maker spaces, incubator spaces, art galleries, music venues, and artisan shops. Mixed use buildings with residential or offices above commercial should provide live/work opportunities and generate greater foot traffic. Attractive public gathering spaces, play areas, and/or outdoor seating areas should be incorporated to create communal areas where residents can meet and spend leisurely time outside their home and work.

Primary Uses:

- Commercial Retail and Service
- Food and Drink
- Entertainment and Cultural
- Office
- Mixed Use Development
- Institutional and Civic
- Parks and Open Space
- Hotel
- Parking Garage

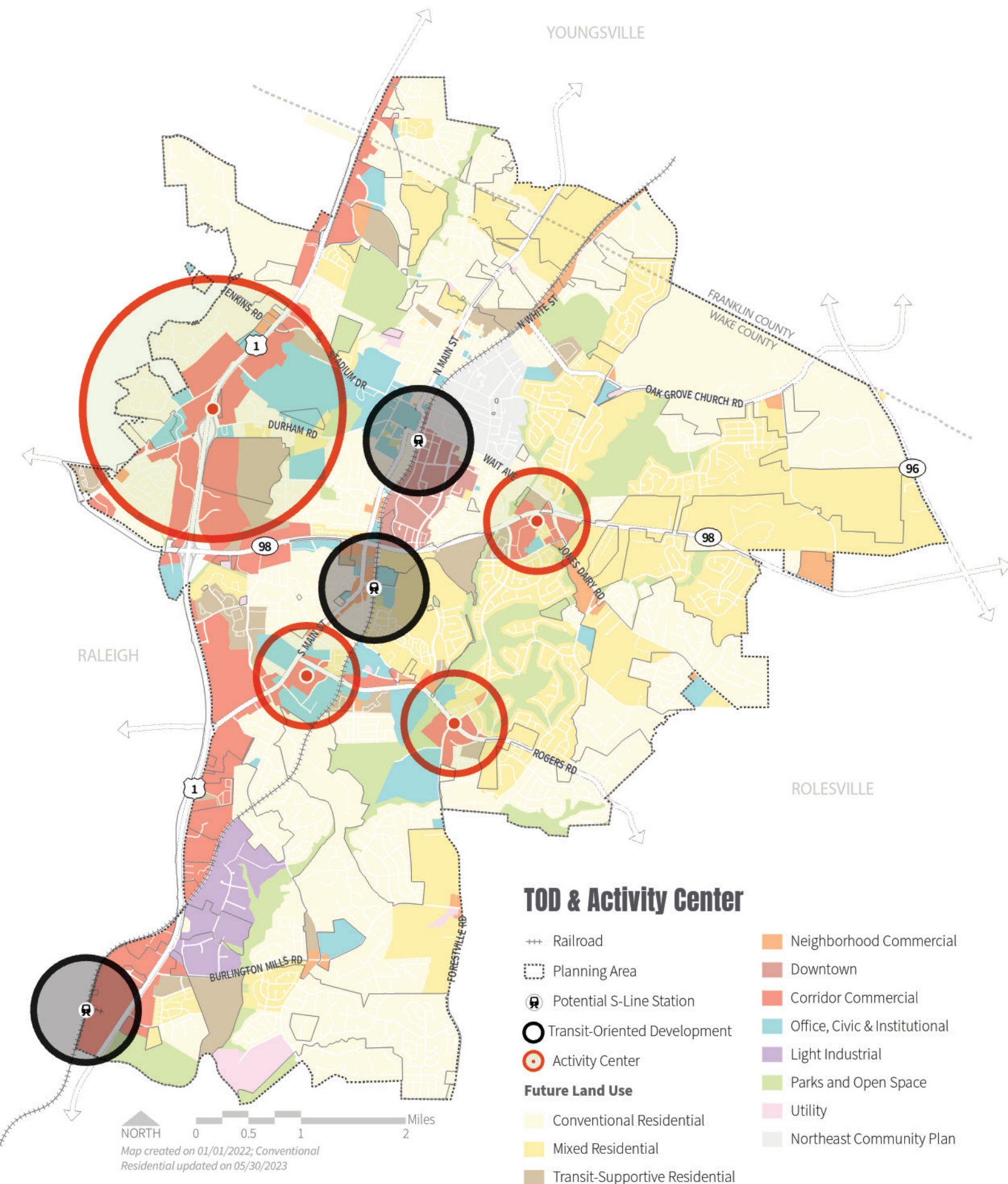
Supporting Uses:

- Townhome
- Two-Over-Two
- Multifamily
- Public Gathering Space



Source: Experience Avalon







RESIDENTIAL AREAS PLAN

The Residential Areas Plan builds on the Land Use Plan, providing a detailed yet flexible guide for preserving existing neighborhoods while supporting new housing options for Wake Forest's growing population. To ensure Wake Forest can support projected growth in the years to come, the Residential Areas Plan focuses on increasing housing diversity and equity, emphasizing a range of housing choices for people of all stages of life and income levels. The Residential Areas Plan supports diversified housing options in appropriate locations. Prioritizing infill and redevelopment opportunities before outward growth will be critical to ensuring new residential growth occurs in a sustainable, strategic manner.

Note: The following area plans are not prioritized or ranked in any order.

Existing Residential

This category includes the Town's existing residential neighborhoods, such as Remington Woods, Heritage, Oakwood Estates, and Traditions. These neighborhoods consist of single-family detached, single-family attached, and multifamily dwellings. Reinvestment in housing stock and infrastructure should be an area of focus as existing neighborhoods age

and reinvestment is necessary to maintain their quality and character for Wake Forest residents.

Reinvestment should include roadway and sidewalk maintenance, strategic curb and gutter construction, tree canopy growth and expansion, and utility line and stormwater management system upgrades. Older neighborhoods developed before the 1990s should be prioritized where such amenities do not exist or have substantially aged. Future redevelopment should be compatible with the built form of existing properties to be respectful of the existing character.

1 Former Wake Forest Golf Course

Once the Wake Forest Country Club, this large property at Capital Boulevard and Country Club Drive now sits abandoned and requires a balanced perspective for redevelopment. To preserve and protect the environmentally sensitive areas such as Horse Creek, existing ponds, and floodplain, a cluster subdivision development is required. These environmentally sensitive areas should be integrated into the site design as enhanced resident amenities with development primarily focused east of Horse Creek and north of the existing ponds running parallel to Country Club Drive. Pedestrian and bicycle connections should be provided within the site

and should connect to the larger network. Connectivity should be emphasized to nearby commercial areas along Capital Boulevard and E. Carrol Joyner Park to the east.

2 Harris Road

Leveraging its direct access to Capital Boulevard, Richland Creek Elementary School, E. Carrol Joyner Park, and Harris Teeter, this undeveloped property should be developed into Transit-Supportive Residential with a mix of higher density residential types. Lower intensity residential types should be located adjacent to existing single-family detached homes along Wallridge Drive and Harris Point Way to complement their character and scale, such as smaller-scale townhomes and duplexes that mimic the character of single-family detached homes. Pedestrian and bicycle access and safe crosswalks should be prioritized along Wallridge Drive and Harris Road to create safe routes to school, parks, and shopping areas. Age-targeted housing should be encouraged to provide desirable senior housing options near such amenities.



3 Jenkins Road & Capital Boulevard

This undeveloped property should be developed into Conventional Residential with primarily single-family detached homes that builds off the surrounding low density residential development. Single-family attached homes should be located towards the southeastern end of the site to provide a transition into the adjacent Neighborhood Commercial development. Horse Creek and its floodplain should be preserved and enhanced as an amenity for residents, such as with walking paths and seating. Safe pedestrian and bicycle connections should be provided to Wake Forest Crossing on the east side of Capital Boulevard.

4 Durham Road & Capital Boulevard

This large scale undeveloped property should be developed into Transit-Supportive Residential to provide greater housing choices near Capital Boulevard and its amenities. This includes primarily multifamily development and townhomes supported at a lower scale. This development should leverage access to Ligon Mill Road, providing roadway connectivity that aligns with the existing street.

Pedestrian-oriented neighborhood-serving businesses should be supported, particularly along the western limits adjacent to Corridor Commercial uses along Capital Boulevard. Mixed use buildings and/or supporting commercial corner stores may also be supported.

5 Historic Residential

This category includes residential properties within the Glen Royall Mill Village National Historic District, the Wake Forest National Register District, and the Wake Forest Local Historic District. These districts contain historic homes that date back to the 19th and mid-20th centuries, concentrated along the west side of the CSX railroad tracks near the old Wake Forest College Campus (now the Southeastern Baptist Theological Seminary). These residential properties should be preserved and maintained as historic assets and tangible evidence of the Town's history. Properties within the Local Historic District require approval from the Historic Preservation Commission for any exterior changes. However, future renovations and new development in all historic districts should follow the design standards in the Wake Forest Historic Property Handbook and Design Standards to protect the special character of the historic properties and districts.

6 Oak Grove Church Road & Gilcrest Farm Road

The properties located at the northeast corner of Oak Grove Church Road and Gilcrest Farm Road are primarily undeveloped and should be developed as Conventional Residential. To complement the newly built single-family homes, this area should continue to offer housing opportunities at a density of no more than three units per acre. Smith Creek and other existing natural features should be preserved and integrated into any site design and development of the area. Conservation design principles should be prioritized to help maintain water quality, protect valued habitat and ecosystems, and design within the context of environmental features and assets. Any development of the area should incorporate pedestrian and bicycle trails and connections that enhance access to the reservoir.



7 306 S Allen Road

This property currently holds a residential care facility that was built in 1958 and has been vacant for over 10 years. Leveraging its proximity to Downtown, and to help address the need for senior housing, this property should be redeveloped into new housing targeted to seniors that matches the scale of the surrounding single-family neighborhood. This could include a new residential care facility or age-targeted single-family detached housing, such as a cottage home court (detached dwellings developed in clusters around a communal open space). Multifamily development should be avoided to maintain existing character.

8 Wait Avenue

A collection of undeveloped parcels is dispersed along Wait Avenue between N Allen Road and Traditions Grande Boulevard. Due to their larger parcel size within the surrounding context, a mix of housing types should be encouraged to complement the scale and character of adjacent single-family detached homes. This includes single-family detached homes, duplexes, cottage home courts, townhomes, triplexes, and quadplexes.

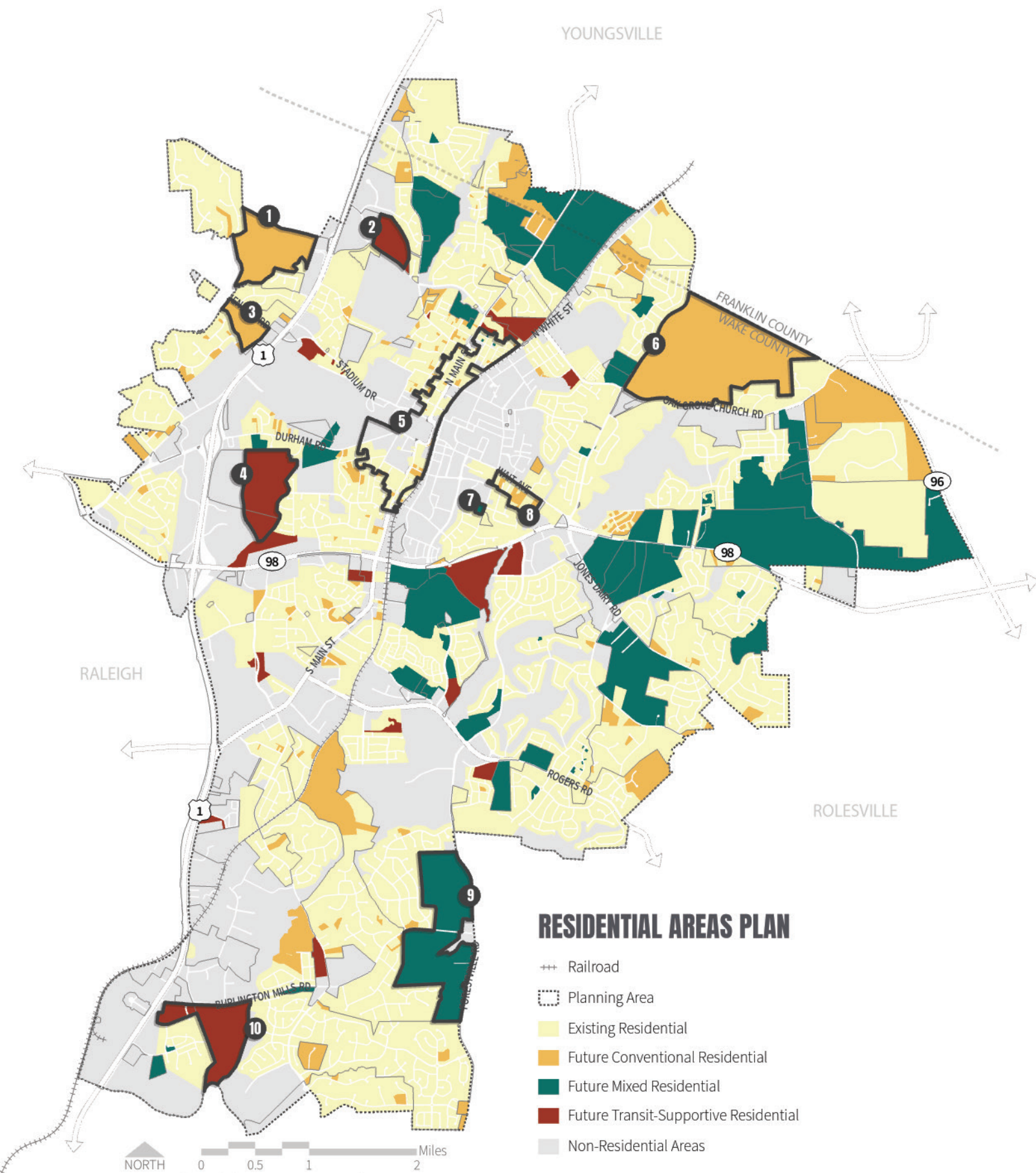
Accommodating greater housing options than only single-family detached homes would allow more residents to live in this desirable location close to Downtown while remaining compatible the character of the existing neighborhood.

9 Forestville Road & Burlington Mills Road

This area presents great potential for Mixed Residential development due to its large scale and convenient access to Forestville Road and Burlington Mills Road. A diverse variety of housing should be provided within the development, ranging from small lot single-family detached housing to lower intensity multifamily development. More dense housing types should be located near the major roadways to act as a buffer from traffic activity to lower intensity residential development. Neighborhood-serving corner stores or food and drink establishments is appropriate, such as along Burlington Mills Road. Traffic impacts of future development should be examined and roadway infrastructure and access management should be upgraded as needed to sufficiently support new development.

10 One World Way & Burlington Mills Road

These properties should be targeted for workforce housing to leverage proximity to the Light Industrial area north of Burlington Mills Road and access to Capital Boulevard. This would allow workers to be within walking distance to their jobs and nearby shopping options. As this area is near a potential S-Line station, TOD may also be supported with ground floor commercial and upper floor residential. Appropriate housing types include multifamily, two-over-twos, duplexes, and townhomes. Homes affordable to households earning 60 to 120 percent of the area's median income (AMI) should be encouraged.





Source: Gramor Development

COMMERCIAL & INDUSTRIAL AREAS PLAN

The Commercial and Industrial Areas Plan builds on the Land Use Plan and offers an achievable approach for maintaining and growing Wake Forest's commercial, employment, and industrial areas. The Plan aims to diversify businesses, grow local job opportunities, and build a sustainable, resilient economy. This includes increasing local shopping options and employment opportunities to ensure residents no longer need to travel outside the Town for work and major shopping needs. Prioritizing the activation of vacant businesses and redevelopment opportunities before greenfield development and outward growth will ensure the Town's commercial and industrial areas develop sustainably. The Commercial and Industrial Areas Plan highlights multimodal connectivity to Wake Forest's commercial and employment to ensure residents can safely and conveniently access their destinations as desired via walking, biking, or transit.

Note: The following area plans are not prioritized or ranked in any order.

1 Capital Boulevard

Capital Boulevard is a major arterial roadway that connects Wake Forest with the surrounding region, including the City of Raleigh. It is the primary route residents and visitors take to pass through the Town. The development of undeveloped and underdeveloped land along Capital Boulevard into commercial uses should be encouraged with both a local and regional customer base. This should be done in coordination with NCDOT's planned controlled-access highway conversion project that will affect roadway configurations. TOD may also be supported near the potential S-Line station at the southern end of the corridor. High quality development should be promoted that features efficient access management, landscaping, and attractive building façades to support a desirable character along this well-traveled roadway. Where commercial uses abut residential areas, sufficient screening and buffering should be in place to provide a smooth transition into lower intensity neighborhoods, screen commercial activity, and preserve the residential character.

2 N White Street

Over the long term, the existing light industrial and auto-oriented development along the west side of N White Street should redevelop into neighborhood-serving retail and services. These uses should serve as a buffer between the railroad and the residential areas to the east while providing residents with access to a variety of food and drink establishments, shops, personal services, and other local businesses. Parking lots should be located to the rear and continuous sidewalks should support high pedestrian connectivity between businesses. A multi-use path along N White Street should further improve pedestrian access and connectivity. Pedestrian and bike connections and safe crossings should provide easy access to Flaherty Park Community Center, Northeast community, and the surrounding neighborhoods.

3 Tech Park

Located near Downtown, the Southeastern Baptist Theological Seminary (formerly Wake Forest College) brings about 3,400 students to the Town each year, playing a vital role in the local economy. The 169 acres west of the campus owned by the Seminary (between Patterson Hall and the Wake Forest Crossing shopping center) is being considered for a future live-work-play tech park. This project



should be supported to increase local job opportunities and the variety of residential and commercial development within the Town, including office, biopharma and life science uses. Compact, walkable development that engage the street and integrated public spaces should be encouraged for a campus-like feel. Single user lots that are not incorporated together should be avoided.

4 S Main Street (North)

S Main Street is a gateway route into Downtown that features aging local commercial businesses, some of which are auto-oriented. Neighborhood-serving commercial uses should continue to be promoted within this area, with an emphasis on improving the corridor's character and supporting day-to-day retail and service options. Working with property owners, existing parking lots should be enhanced in the near term with perimeter landscaping. As redevelopment opportunities arise, parking should be situated to the rear and new buildings should match the setback of adjacent single-family homes, if space allows. Sidewalk conditions should be improved with opportunities for safe pedestrian crossings.

5 Dr Calvin Jones (Hwy 98) Corridor

Dr Calvin Jones Highway (Hwy 98) is a primary east-west corridor that runs through the heart of Wake Forest. It provides connections to key destinations like the Downtown, Heritage, Gateway Commons, and neighboring communities. Infill development should include a mix of regional- and local-serving retail, service, and office uses. Buildings should be located near the right-of-way for visibility along the corridor with parking to the rear. Pedestrian and bike access should be enhanced with a well-buffered sidewalk network along Dr Calvin Jones Highway, safe crossings at traffic signals, pedestrian-scaled lighting, bike parking stations, and internal pedestrian pathways. Street trees and interior and perimeter parking lot landscaping should improve the character of the corridor. Strategically implemented cross access between businesses and efficient access management should reduce congestion and traffic conflicts along Dr Calvin Jones Highway.

6 Forestville Mixed Use

This section of S Main Street includes historic buildings that are remnants of the once thriving railroad town of Forestville. Preservation of these structures will be key as tangible evidence of its rich history. Forestville's aging and disinvested properties should be a focus for exterior improvements or redevelopment that conforms with the character of the surrounding single-family neighborhood. Remaining industrial businesses should redevelop into local-serving commercial or small-scale mixed use that respects the existing architectural style. Existing unpaved parking lots should be paved and future parking should be located to the rear. Buildings should be located near the property line to form a consistent setback in line with adjacent residential properties and a desirable sense of enclosure. New pedestrian crossings, completed bike lanes, and continuous sidewalks on both sides of S Main Street should improve safety, walkability, and bikeability, especially as it is located near a potential S-Line station. Wayfinding and signage should be incorporated to reinforce the corridor's sense of place and historic significance.



7 Rogers Road Corridor

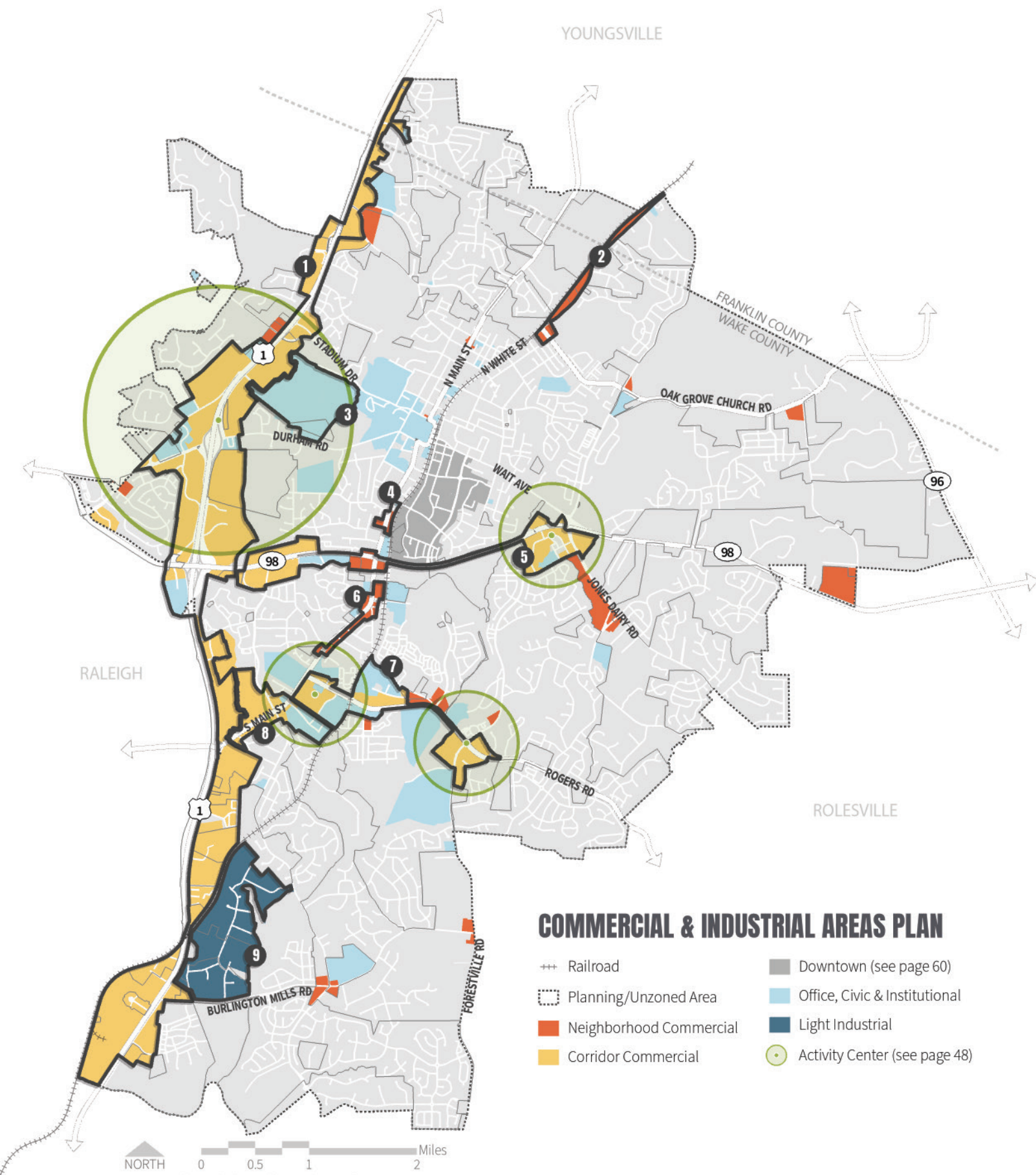
Rogers Road is a major east-west roadway that contains a robust variety of commercial and office businesses. Vacant lots along the Rogers Road corridor should be a focus for infill with additional retail, service, and office uses. As traffic congestion is increasingly becoming an issue, roadway capacity and access management improvements should be prioritized to support future development. Cross access between businesses and connected, alternative routes should be encouraged to reduce traffic impacts along Rogers Road. Pedestrian and bike connectivity along the corridor should be improved with a complete sidewalk network, ample streetscapes between the sidewalk and curb, and safe crossings at traffic signals. To improve onsite multimodal access, pedestrian walkways, bike parking, and parking lot lighting should be incorporated. Landscaping should be used to improve the character of the corridor, including trees along the external sidewalk network and perimeter and internal parking lot landscaping.

8 S Main Street (South)

The Main Street corridor is an entryway into Wake Forest from Capital Boulevard and a gateway into Downtown. For this important corridor, reinvestment in aging commercial buildings and the redevelopment of disinvested structures should be a priority. Future development patterns should include building placement near the sidewalk with parking to the side or rear, promoting a pedestrian-friendly environment. Pedestrian comfort and safety should be improved by closing gaps in the sidewalk system, reducing driveway cuts, widening narrow sidewalks, and providing adequate landscaped buffers between sidewalks and travel lanes. Aesthetics and stormwater functions should be enhanced by working with property owners to resurface deteriorating parking lots and upgrade them with interior and perimeter landscaping.

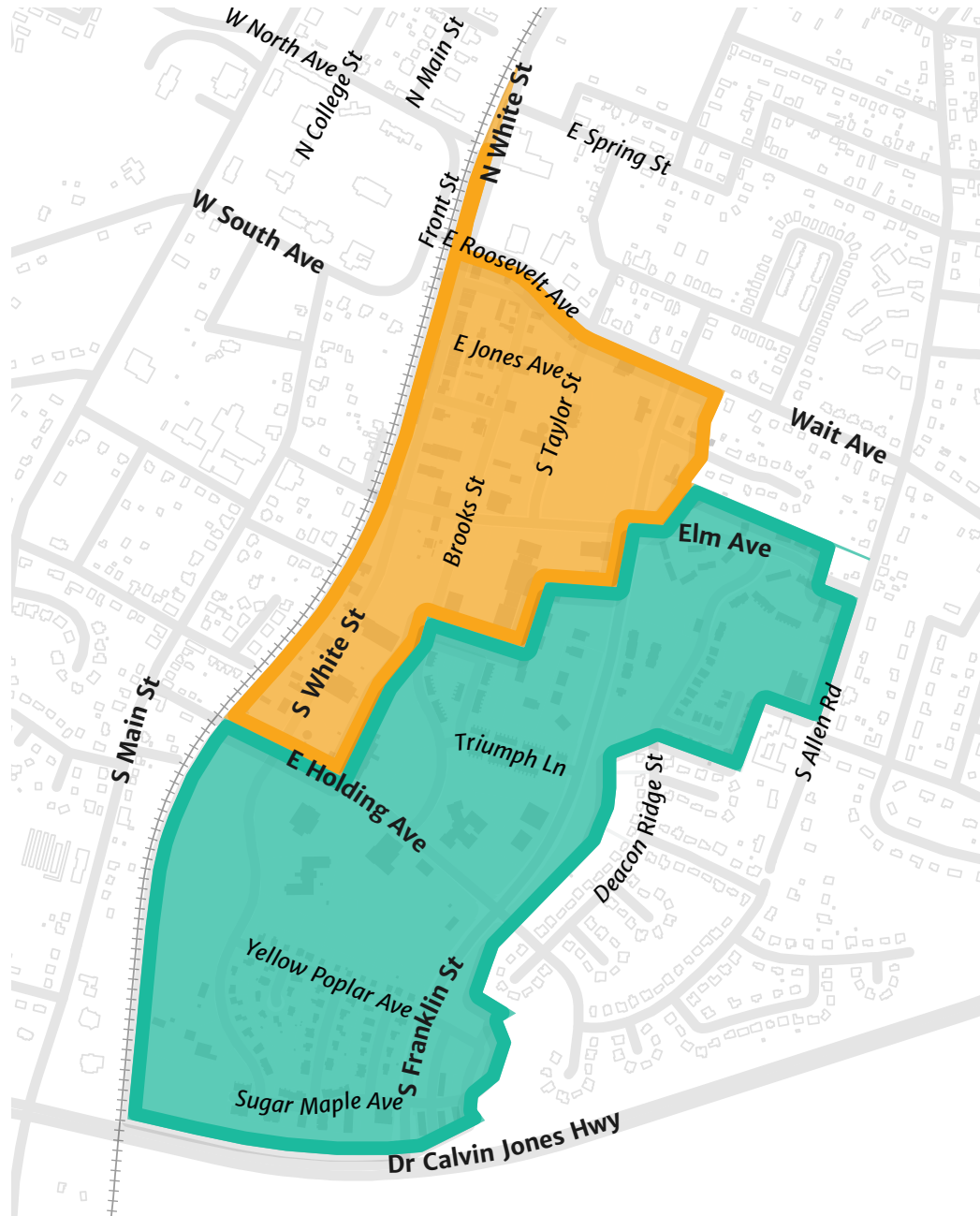
9 Unicon Drive Industrial

Expanding on existing industrial development, future light industrial growth around Unicon Drive should increase local job opportunities and strengthen the Town's tax base. Desirable examples include small-scale manufacturing, biotech, and green industries. Buildings should feature high quality facades that incorporate windows and variations in building material and/or color at its main entrance to help establish an attractive industrial hub. This location benefits from easy roadway access off Capital Boulevard for freight; however, the Town should ensure all truck activity is directed away from adjacent residential neighborhoods. Ample screening, buffering, and setbacks of industrial uses from the residential areas should preserve their character and mitigate adverse impacts in the neighborhoods.



DOWNTOWN AREA PLAN

The Downtown Area Plan outlines a framework for future land use and development within Wake Forest's Downtown. It aims to preserve Downtown's historic character while strengthening a thriving community center where all can visit, work, shop, and live. The Downtown Area Plan divides Wake Forest's Downtown into functional subareas based on existing land use, built form, and character. While all are part of Downtown, each subarea is unique and functions differently from the other. Tailored recommendations for future growth and subsequent planning efforts are provided for each subarea, addressing their distinct contexts while ensuring they work cohesively to form a unified Downtown area.



- Downtown Core
- Downtown Edge

Downtown Core Area

The Downtown Core Area is the heart of Wake Forest. It includes the Downtown Wake Forest National Register Historic District and the Downtown expansion along South White Street. This area should continue to serve as a hub of dining, shopping, entertainment, and community events while offering housing and office space that can leverage direct access to Downtown's amenities. Investments into placemaking and streetscaping should continue, including for public art, pedestrian-scale lighting, landscaping, and wayfinding. Programmed public gathering spaces should be integrated, providing attractive spaces for socializing, relaxation, and play for all ages. Rooftop and patio dining should also be encouraged to enliven Downtown's atmosphere. Parking should be provided on-street or in rear parking lots to foster a pedestrian-friendly environment. Parking garages and podium parking should be encouraged throughout the Downtown Core Area, aside from the Downtown Wake Forest National Register Historic District. Parking decks should be designed to blend in with the character of the area, with street-level commercial and rear and upper-floor parking.

Core Mixed Use

The Core Mixed Use area supports a compact, pedestrian-friendly, and unique environment, with a vibrant mix of local retail, service, entertainment, office, and civic uses. Examples include restaurants, bars, coffee shops, bookstores, banks, boutiques, and salons. To foster a unique business environment, franchise stores should be discouraged in this area in favor of locally owned businesses. Buildings should be located at the property line to create a desirable sense of enclosure and consistent street wall with activated storefronts.

Mixed use development (ground-floor commercial and upper-floor residential or office) and rooftop and patio dining should be encouraged to support an activated streetscape. New development and façade improvements should fit cohesively with the existing historic character. This includes future transit-oriented development that may occur with the proposed S-Line station at the edge of this area. Adaptive reuse should be promoted in the Core Mixed Use area to maintain the Downtown's historic structures.

S White Street Corridor

The S White Street Corridor area should serve as an extension of the Core Mixed Use area to expand the footprint of Downtown. Creative, co-working, incubator, and maker spaces (or collaborative hands-on learning and work spaces) should be encouraged in this area to create a hub of entrepreneurship and creativity that builds off the Loading Dock's culture. As opportunities arise, auto-oriented and industrial uses with desirable built form should be redeveloped or repurposed.

Higher density mixed use buildings like the PowerHouse Row should be supported, with ground-floor commercial and upper-story residential or office. Leveraging the decreasing grade change, building heights of three stories or more should be encouraged to maximize development potential within the S White Street Corridor area. Wide, continuous sidewalks, buildings near the property line, and parking to the rear or on-street should be encouraged to foster a pedestrian-oriented environment. Activated outdoor spaces and outdoor seating/dining should also be encouraged.

Renaissance Centre

The Renaissance Centre for the Arts is a community asset that provides theater and performance art opportunities within the Town. The current site features a standalone commercial use (Dollar General) and an expansive front-loaded parking lot, which disengages buildings from the rest of the Downtown Core. If the property owners were to choose to further enhance the site, below are two alternatives to consider:

- Redevelop the Dollar General and parking lot into a block of mixed use buildings facing Brooks Street, Elm Avenue, and the strip mall. New streets should be constructed to support a pedestrian-oriented environment.
- Explore opportunities to redevelop the site as a highly walkable environment, with mixed use buildings on either side of Brooks Street. The Renaissance Centre could be rebuilt as a state-of-the-art facility that attracts tourists and serves as the center of a collection of arts-oriented businesses.

The Town should remain flexible and creative in the design, integrating public open spaces, outdoor seating areas, attractive lighting, landscaping, and pedestrian walkways to create a unique destination within Downtown Wake Forest. For either Renaissance Centre scenario, parking should be provided on-street or consolidated into a parking garage.

Community Facilities & Utilities

Community Facilities and Utilities in the Downtown Core Area include existing community facilities like Town Hall, the Wake Forest Police Department, and Centennial Plaza. Future improvements, expansions, or buildouts of facilities should be accomplished through close coordination with respective agencies and governmental entities.

Downtown Wake Forest National Register Historic District

Listed in the National Register of Historic Places in 2002, the Downtown Wake Forest National Register Historic District is the center of the Downtown Core Area concentrated around S White Street. It contains historically significant buildings that contribute to Downtown's historic character and heritage, like the Wilkinson Building, the Old Library Building, the Brewer Building, and the old cotton warehouse. Buildings in the Historic District date from 1890 to 1949, range in height from one to three stories, and are primarily brick construction. Façade features include metal cornices, corbeling and other decorative brickwork, and storefronts with display windows and recessed entries. The historic character of the buildings and the district should continue to be preserved by implementing the Secretary of Interior's Standards for Rehabilitation to renovations and new construction. New development should match the character and scale of the district's historic buildings.

Downtown Edge Area

The Downtown Edge surrounds the Downtown Core and is primarily made up of residential uses and community facilities. Higher density residential options should continue to be promoted within the Downtown Edge to provide attractive, diverse, and equitable housing options near the Downtown Core and its amenities. Increasing living options in this area would also support business success within the Downtown Core Area with a greater customer base nearby. Buildings should be oriented towards the street, adjacent buildings, and attractive vistas to support a pedestrian-friendly environment. Pedestrian and bike connectivity should be prioritized to ensure residents can conveniently walk or bike to the Downtown Core.

Conventional Residential

Existing single-family detached areas should be maintained by reinvesting in roadway and utility infrastructure as needed. Higher density infill development, such as duplexes and accessory dwelling units, should be supported to match the area's existing character and further diversify housing choices.

Mixed Residential

Existing single-family attached homes should be maintained and reinvestment in roadway and utility infrastructure should occur as needed. Existing examples include the Retreat at Renaissance Townhomes, Avondale Townhomes, and Heath Ridge Village. Traditional neighborhood formats, with rear parking garages that are accessible by an alley, should continue to be encouraged to improve the character of the neighborhood streetscape. If front-loaded garages are included, garages should be paired to increase room for the entryway/porch area and front yard.

Transit-Supportive Residential

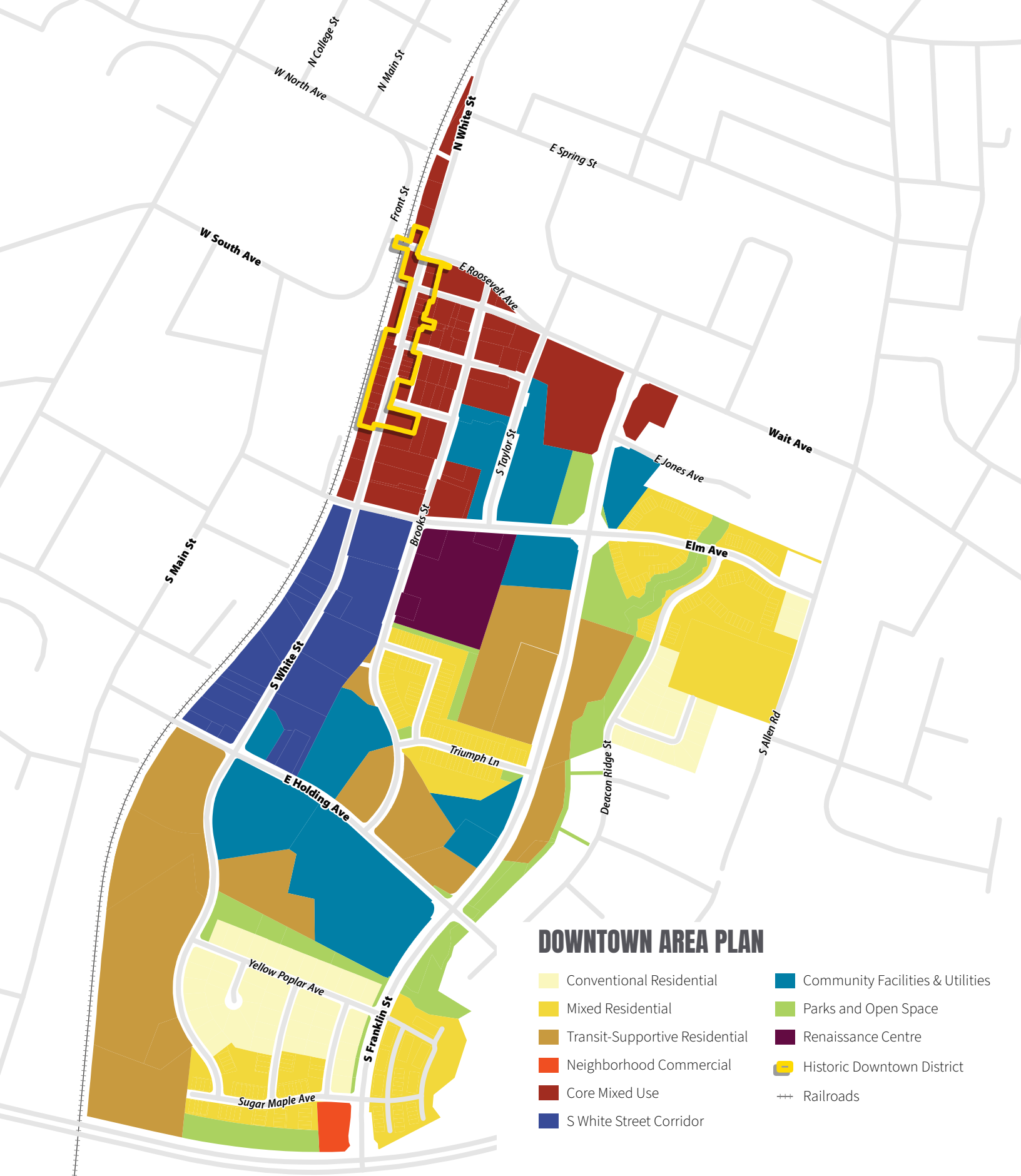
Multifamily areas should benefit from reinvestment in roadway and utility infrastructure as needed. New higher density residential development should be encouraged within undeveloped areas, such as along the western side of S White Street. This includes apartments, multiplexes, and townhomes, which provide smaller-unit affordable rental and owner options near Downtown.

Neighborhood Commercial

A standalone commercial use (Village Pharmacy of Wake Forest) currently exists at the corner of Dr. Calvin Jones Highway and S Franklin Street. The commercial use should remain, and safe multimodal connectivity should be prioritized at the intersection of S Franklin Street and Sugar Maple Avenue and across Dr. Calvin Jones Highway by providing continuous sidewalks and highly visible crossings.

Community Facilities

Community Facilities and Utilities in the Downtown Edge Area include existing community facilities like the Wake Forest Community Library, Franklin Academy, and Wake County Northern Regional Center. Future improvements, expansions, or buildouts of facilities should be accomplished through close coordination with respective agencies and governmental entities. Redevelopment of the Post Office or an outparcel addition should be considered to better activate the large vacant area located at a prime Downtown corner (E Holding Avenue and S White Street). This could include a three- to four-story building that is located near the street.



DOWNTOWN AREA PLAN

- Conventional Residential
- Mixed Residential
- Transit-Supportive Residential
- Neighborhood Commercial
- Core Mixed Use
- S White Street Corridor
- Community Facilities & Utilities
- Parks and Open Space
- Renaissance Centre
- Historic Downtown District
- Railroads

NORTH 0 0.05 0.1 0.2 Miles Map Created On 1/1/2022

Additional Considerations

The following Additional Considerations chapter provides factors and influences to consider for land use and development as Wake Forest grows. These core considerations provide a lens through which the recommendations and strategies outlined in the Land Use Plan should be implemented and how efforts for future development should be guided. These key factors are intended to ensure Wake Forest grows in a manner that is equitable, sustainable, attractive, and economically viable, continuing to improve quality of life and enhance the Town as an excellent place to live and work.

IN THIS CHAPTER

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Minority & Women-Owned Businesses

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Community Character

Utility Lines

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Bikeways, Greenways & Trails

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Gateways

Downtown Wake Forest



HOUSING AFFORDABILITY

Much of the recent residential growth in Wake Forest has created a mix of new single-family and multifamily neighborhoods, such as Heritage and Traditions. These developments exhibit high-quality architecture, well-connected sidewalks, and ample landscaping. Although these developments are highly desirable, the added cost of amenities and infrastructure contributes to the high cost of housing in Wake Forest and has led to a shortage of homes priced for households earning at or below the median area income. There is a strong need to increase housing choices and attainability for all income groups, stages of life, and backgrounds, particularly near job centers and transit to reduce transportation cost burdens. This will help ensure Wake Forest continues to be welcoming to all and existing residents can remain in the place they call home.

Affordable Housing Plan

The Town is currently developing a new Affordable Housing Plan, anticipated to be adopted in 2022, which will provide tools and strategies for improving housing affordability within Wake Forest. The existing conditions analysis phase of the project identifies a 61% increase in home prices since 2015 due to rapid growth and increasing housing pressures. It also identifies that low- and very low-income renters (below \$40,000 household income) are particularly cost burdened, with single-parents, seniors, and minorities disproportionately impacted. Key barriers include high demand for resident amenities that increases building cost, limited zoning for multifamily development by-right, and a lack of older rental housing options to meet the needs of moderate to lower income rental housing. To improve housing equity and affordability for all, the Town should prioritize implementing the Affordable Housing Plan once it is complete.

Note: A household is considered cost burdened when more than 30% of its gross income is spent on housing costs.

GREATER EQUITY THROUGH HOUSING DIVERSITY

Throughout the public engagement process, the need for greater housing choices for middle- and lower-income residents was expressed, as well as for target demographics like young professionals, new families, minorities, and seniors. Smaller unit sizes and rentals are critical for providing housing options for residents who may not be able to afford owning a single-family detached home at their current stage of life or who wish to downsize. Higher density, smaller unit housing types will play an important role in addressing this need, increasing housing equity, inclusivity, and livability in Wake Forest.



RESIDENTIAL CHARACTER

While the Town works to accommodate its growing population, a balance must be met between preserving the existing residential character and supporting higher densities through a diverse mix of housing. Higher density residential does not need to be a dominating development that disrupts the Town's existing character. Through thoughtful design and attention to massing, rhythm, scale, setback, and building materials, new residential development can provide greater housing choice and equity while still complementing the charm of Wake Forest's established neighborhoods. This includes the following considerations:

Key Recommendations

- Encourage single-family attached and multifamily development to incorporate varied building frontages and rooflines, front porches, front yards, and balconies to provide visual interest and complement the scale and character of surrounding single-family neighborhoods.
- Setbacks of infill development should match the existing context as much as possible as uniform setbacks can help foster a pedestrian-friendly environment.
- Promote higher density infill and redevelopment within older established neighborhoods to provide greater housing choices while matching the scale and character of existing properties.
- Promote higher density housing along key corridors and surrounding activity centers. This includes near areas designated in the Land Use Plan as Commercial Corridor; Neighborhood Commercial; Light Industrial; and Office, Civic, and Institutional.
- For larger scale planned subdivisions that provide a mix of housing types, work with private developers to locate lower density housing near existing single-family detached neighborhoods to create appropriate transitions and preserve the character of established neighborhoods.
- Consider requiring a minimum percentage of housing types in new neighborhood developments to increase housing diversity and affordability (e.g. at least 20% duplexes/townhomes).
- Review and update the UDO to align with residential character recommendations within this Community Plan.





Example of a cottage home court | Source: Ross Chapin Architects

SENIOR HOUSING

The 65 and over cohort of residents has grown the most out of all age groups in Wake Forest over the last decade. It is critical that the Town supports this growing population with the housing, amenities, and services they need. Senior housing should be encouraged where community resources are available, particularly within walking distance, to reduce cost burden and the need to drive for daily routines and errands.

Universal Design

Universal design practices should be promoted to increase housing accessibility for residents of all ages and abilities. This should include level access from the street, zero entry thresholds, fixtures and fittings located at varying heights and widths, ground-floor master bedrooms, and other design elements that allow for lifetime homes. Smaller lot, single-story homes that require less maintenance and allow for downsizing should be encouraged, such as ranch style homes.

Key Recommendations

- Promote senior housing within a quarter mile of transit stops, Downtown, shopping areas, parks, and recreational facilities.
- Encourage smaller lot, single-story housing types for seniors that are ADA accessible.
- Encourage age-targeted cooperative housing types for community-oriented senior living, such as co-housing and cottage home courts.
- Promote the development of continuing care retirement communities (CCRC), or life plan communities, which offer distinct types of housing and care levels based on a senior's needs.
- Encourage developers of age-targeted housing to include amenities attractive to seniors, such as front porches, back patios, walking paths, and outdoor sports facilities, and activated gathering spaces.



Source: Asbury Place Maryville

COMMERCIAL DEVELOPMENT

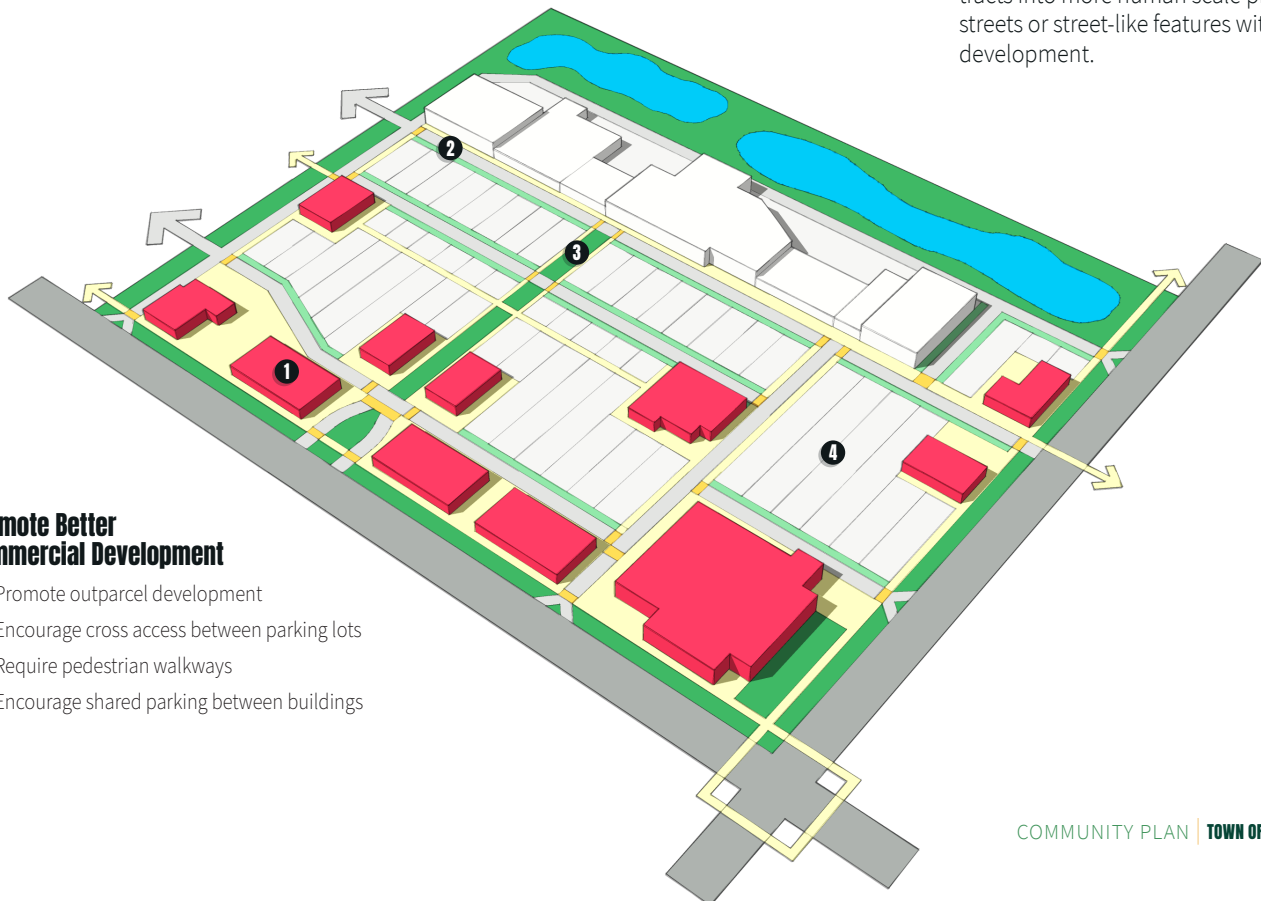
The character of commercial areas forms the overall image of a community. Commercial areas function as focal points of activity and are often what visitors see first and most often. Higher quality, attractive commercial areas can foster greater economic development by drawing new businesses and customers. During public engagement, community members stressed the desire to improve the character of the Wake Forest's commercial areas, avoiding "cookie cutter" development and strip malls that were monotonous in design. Instead, citizens aspired to see shopping areas that were memorable and unique to Wake Forest. The Town should consider the following to further improve the character, accessibility, and sense of place within its commercial areas:

Key Recommendations

- Enhance established commercial areas by incentivizing redevelopment and/or renovation of existing businesses.
- Support small, local businesses within commercial centers to support unique shopping options within Wake Forest.
- Establish architectural design standards for commercial building facades that promote quality design while allowing for flexibility that encourages creative design.
- Promote multi-story structures within Commercial Corridor and Neighborhood Commercial areas at appropriate scales that offer residential or office above ground-floor commercial.
- Encourage pedestrian-oriented shopping environments with sidewalks, attractive storefronts, and buildings facing each other to create a sense of enclosure.
- Encourage the incorporation of pedestrian/bicyclist/transit-oriented areas in large-scale shopping centers that provide outdoor seating and gathering areas, bicycle parking stations, and access to transit services.
- Promote cross-access and pedestrian pathways between adjacent parking lots and leading to buildings to promote well-connected, cohesive shopping areas.
- Encourage the consolidation of commercial driveways onto major streets to reduce traffic conflicts.
- Require "360 degree architecture" (high quality architecture on all sides of the building as opposed to just the front-facing façade), including well-designed or screened service areas.
- Encourage businesses to replace existing, non-conforming signage with attractive signage that meets Town standards.
- Promote outparcel development to improve the character along primary roadways and break up views of large parking lots.
- Review and update the UDO, including the US 1 Special Highway Overlay (SH1-O) and Dr Calvin Jones Highway Overlay (SH2-O) districts, to align with commercial development recommendations within this Community Plan.
- Support accessory commercial units (ACUs) that allow the ground floor of residential properties or an accessory structure facing the street to contain a commercial use beneficial to the surrounding neighborhood.
- Establish block standards for commercial areas to break up large tracts into more human scale pieces with streets or street-like features within the development.

Promote Better Commercial Development

- 1 Promote outparcel development
- 2 Encourage cross access between parking lots
- 3 Require pedestrian walkways
- 4 Encourage shared parking between buildings



MINORITY & WOMEN-OWNED BUSINESSES

It is important that Wake Forest cultivates a business environment that is welcoming to people of all backgrounds. The Town currently administers the Minority and Women-owned Business Enterprise (MWBE) Program, which is specifically designed to advocate and facilitate business growth and provide opportunities for historically underutilized businesses. The local Black Business Alliance also helps the Wake Forest Area Chamber create more equitable business environments and connect black business owners to resources and programs. The Town should continue to support and advocate for the minority and women business communities by doing the following:

Key Recommendations

- Work with organizations, such as the Chamber and the Black Business Alliance, to expand diversity, equity, and inclusion programs that are supported with grassroots community engagement.
- Explore successful programs for supporting minority and women-owned businesses in surrounding communities to implement in Wake Forest.
- Explore regional, state, and federal grants available for minority and women businesses, such as grants from the National Institute of Economic Development and Carolina Community Impact.
- Support informational sessions and/or provide educational resources to employers on how they can establish equitable work environments and policies within their businesses.

CASE STUDY NORTH HILLS SHOPPING CENTER

RALEIGH, NC

The North Hills Shopping Center in Raleigh, NC is an example of a pedestrian- and experience-oriented retail development that differentiates itself from traditional shopping centers and strip malls. Originally an aged shopping mall, the development was renovated with high-quality architecture, trees, pedestrian-scale lighting, and water features. A pedestrian-friendly environment is fostered through wide sidewalks lined with storefronts, outdoor seating, safe crosswalks, angled parking, and narrow drive lanes that slow traffic. Much of the parking is located underground, as opposed to large, front-loaded parking, which enhances the streetscape. Shopping centers with such features encourage visitors to spend more time and money by offering a unique experience in an attractive setting and should be encouraged within Wake Forest.



Source: Raleigh VIP



SETBACKS

Setbacks are the amount of space between a building and its property line. The placement of buildings can significantly affect the character of an area, including sense of enclosure, visual interest along the streetscape, and walkability. For example, a business situated close to the sidewalk becomes far more welcoming and accessible to a pedestrian than one set far back from the property line with a front-loaded parking lot. At the other end of the spectrum, wide setbacks can be used to effectively separate incompatible or high activity uses, such as light industrial uses from residential properties.

Key Recommendations

- Incentivize businesses to situate new buildings at or near the property line to improve walkability, such as by requiring more landscaping if parking lots are located in front of buildings rather than to the rear/side.
- Promote consistency in setbacks within commercial and residential areas to form desirable continuity in the streetwall, or the facades of buildings facing the street.
- Encourage outparcel development with 360 architecture to “hold the corner” of commercial corridor development.
- Ensure adequate setbacks of industrial or other high intensity uses to reduce potential sound or visual impacts on adjacent lower intensity uses.
- Allow for flexibility in setbacks in Downtown where existing conditions prevent a consistent streetwall, while maintaining a close interface with the street (e.g., utility, landscaping, and/or topography challenges).

PARKING LOTS

Parking lots are a key component for vehicular access; however, surface parking lots can detract from the character and walkability of an area if there is a parking surplus and/or if they are poorly designed. To create more welcoming environments for pedestrians while continuing to accommodate essential auto access, the following should be considered:

Key Recommendations

- For existing front-loaded surface parking lots, encourage property owners to improve their character with perimeter and interior landscaping, and/or decorative walls and fencing.
- Require off-street parking to be located to the side or rear of the primary building.
- Encourage shared parking agreements where neighboring uses with different peak parking demand times can use the same parking lot, reducing the need for additional parking lots.

- Reevaluate minimum parking standards and consider implementing maximum parking standards to reduce excessive requirements.
- Monitor parking supply and strategically encourage structured or underground parking in higher density areas if needed, such as in Downtown, TOD, and activity center areas, to reduce the amount of land dedicated to surface parking.
- Consider offering incentives for structured parking, such as density bonuses, allowable lot coverage increases, and height limit increases.
- Encourage the integration of structured parking into multifamily buildings to minimize surface parking lots.
- Encourage North Carolina Department of Environmental Quality's (NCDEQ) Stormwater Nitrogen and Phosphorus (SNAP) nutrient-reducing practices, such as permeable surfaces, that allow water infiltration in parking lots to improve stormwater drainage and water quality.
- Encourage the provision of pedestrian walkways in parking lots to enhance connectivity and safety to businesses.



Promote Better Parking Lots

- 1 Encourage cross access between parking lots
- 2 Locate parking behind the building
- 3 Require pedestrian walkways
- 4 Encourage shared parking between buildings



SCREENING & BUFFERING

Screening and buffering help improve the appearance of unsightly or high activity uses and mitigate their impact on neighboring properties. Screening includes the use of quality, opaque fencing, walls, and/or landscape to hide undesirable uses such as parking, loading, storage, or trash disposal areas from the public right-of-way and adjacent uses. Buffering provides distance to further separate incompatible uses and minimize impacts, such as noise, odor, or light pollution. In instances where higher intensity uses like industrial or corridor commercial are located next to lower intensity uses like single-family residential, screening and buffering should be utilized to provide visual and/or physical separation between such conflicting uses.

Key Recommendations

- Ensure sufficient screening and buffering of industrial and commercial uses next to residential uses to minimize potential adverse impacts, such as in the Unicon Drive area.
- Encourage new development to preserve existing wooded areas along the perimeter of sites to provide natural buffering.
- Encourage screening of utility, loading, outdoor storage, and trash disposal areas that are visible from the right-of-way and adjacent development.
- Promote the use of setbacks for walls and fences that allow for plantings between the property line and the right-of-way and adjacent development.





COMMUNITY CHARACTER

Community character makes a place unique and sets it apart from other areas. Character is a combination of architectural design, size, scale, landscaping, street layout, street furniture, sidewalks, setbacks, and other elements that contribute to the appearance and feel of a neighborhood. The following recommendations are intended to help ensure Wake Forest remains distinguishable from other towns, where development has contextual interest, uniqueness, and variety. The intent is to promote, preserve, and enhance the character of the community without limiting development and redevelopment.

Key Recommendations

- Preserve vistas and view corridors that contribute to the economic and aesthetic value of Wake Forest, such as the church steeple at Southeastern Baptist Theological Seminary, S White Street in Downtown, and N Main Street in the Wake Forest Local Historic District.
- Curate public outdoor spaces for important monuments and artworks to showcase them as anchors and entry points to neighborhoods.
- Leverage historic structures, events, and people to create a sense of place through placemaking and branding.

- Ensure new development is contextual to the existing character of the area in terms of scale, massing, setback, fenestration, and design features (porches, storefronts, etc.).
- Encourage developers to incorporate landscaping to beautify neighborhoods and commercial areas, such as landscaped medians and roundabouts.
- Incorporate landscaping and gateway features into public rights-of-way, such as landscaped streetscapes, green infrastructure, and public promenades.
- Emphasize quality development along highly visible thoroughfares in the Town to reinforce its positive image.
- In accordance with the Land Use Plan, ensure incompatible, high intensity uses are directed away from low intensity residential areas.
- Continue to provide quality municipal services for the maintenance and upkeep of neighborhoods, such as street cleaning, snow removal, and trash disposal services.
- Work with NCDOT to identify areas for roadway enhancements.
- Refer to the Public Art Vision Plan for guidance when public art is being proposed in private development.
- Work with developers to improve the character of retaining walls, such as by incorporating public art or tiering the walls to reduce their visual impact.

UTILITY LINES

Utility lines provide crucial connections for residents and businesses, supplying electricity and telecommunications services. Today new developments routinely bury utility lines underground; however, many older areas of Wake Forest were developed with overhead utilities before this became a common practice. The poles and wires that support this critical infrastructure can be unattractive, add visual clutter, obstruct access, and be a safety concern depending on placement. While a costly endeavor, the Town should consider burying utility lines in priority areas over the long term as technology advances and redevelopment occurs. Conversion should focus on priority corridors that serve as gateways to the community, as well as key scenic spots and historically significant streets.

Key Recommendations

- Create a master plan for burying utility lines with community involvement to identify priority areas for conversion.
- Ensure major Town entrances and gateway corridors and highly visible, pedestrian-oriented areas are prioritized for conversion.
- Consider trenching utilities as capital improvements are made in the right-of-way for all areas of the Town.
- Investigate partnering with private developers to install conduit for fiber and/or burying utility lines in priority conversion areas.
- Explore partnerships with private developers for boring and burying additional conduit along main roadways.
- Consider and install conduit with greenway project construction.



HISTORIC PRESERVATION

The Town of Wake Forest is home to four historic districts which enhance its character. These districts include:

- **Wake Forest Local Historic District and Local Historic Landmarks** – This district is comprised of properties along N Main Street, North Avenue, and South Avenue. Designated in 1979 under the Town's Historic Preservation Ordinance, exterior changes to properties within this district and designated local historic landmarks must receive a Certificate of Appropriateness from the Historic Preservation Commission.
- **Wake Forest National Register Historic District** – This district is centered around the original campus of Wake Forest College and includes the houses, churches, and businesses that grew around it. The district was listed in the National Register of Historic Places in 2003. Properties within this district may be eligible for historic tax credits for qualified rehabilitation projects and are protected by the Town's Demolition of Historic Structures Ordinance; however, they are not required to receive approval from the Historic Preservation Commission for exterior changes.

- **Glen Royall Mill Village** – This district bounded by the CSX railroad, Mill property, N Main Street, and E Cedar Avenue is one of the most intact mill villages in the state. The district was listed in the National Register of Historic Places in 1999. Properties in this district may be eligible for historic tax credits for qualified rehabilitation projects and are protected by the Town's Demolition of Historic Structures Ordinance and Glen Royall Mill Village Character Overlay District. However, they are not required to receive approval from the Historic Preservation Commission for exterior change.
- **Downtown Wake Forest National Register Historic District** – This district includes structures that contributed to the Town's historic commercial core along S White Street from Roosevelt Avenue nearly to Owen Avenue. The district was listed in the National Register of Historic Places in 2002. Properties within this district may be eligible for historic tax credits for qualified rehabilitation projects and are protected by the Town's Demolition of Historic Structures Ordinance. Exterior changes must meet the Secretary of Interiors Standards for Rehabilitation under the UDO 5.2.1.

The designation of historic districts helps the Town safeguard its heritage and preserve areas of historical, cultural, and architectural significance. Historic districts also contribute to stabilizing and improving property values as well as strengthening the local economy by attracting tourism. The Town of Wake Forest should continue to preserve, maintain, and enhance these historic districts as a major community asset.

Key Recommendations

- Work with the Historic Preservation Commission (HPC) and the Planning Department to continue to implement the 2019 Historic Property Handbook and Design Standards and continue to preserve existing and new historic landmarks.
- Continue to enforce the Historic Preservation Ordinance for the Wake Forest Local Historic District and local historic landmarks.
- Promote State and Federal Tax Incentives for qualified rehabilitation projects for properties listed individually or as contributing historic properties in the National Register of Historic Places.
- Ensure development surrounding and within historic districts is sensitive to the historic context of the neighborhood.
- Encourage adaptive reuse, restoration, and repurposing of historic structures to preserve Wake Forest's history.
- Continue to enforce the Demolition of Historic Structures Ordinance for the protection of all historic properties in Wake Forest.
- Investigate the adoption of new local historic districts or character historic overlay districts to preserve Wake Forest's historic character.



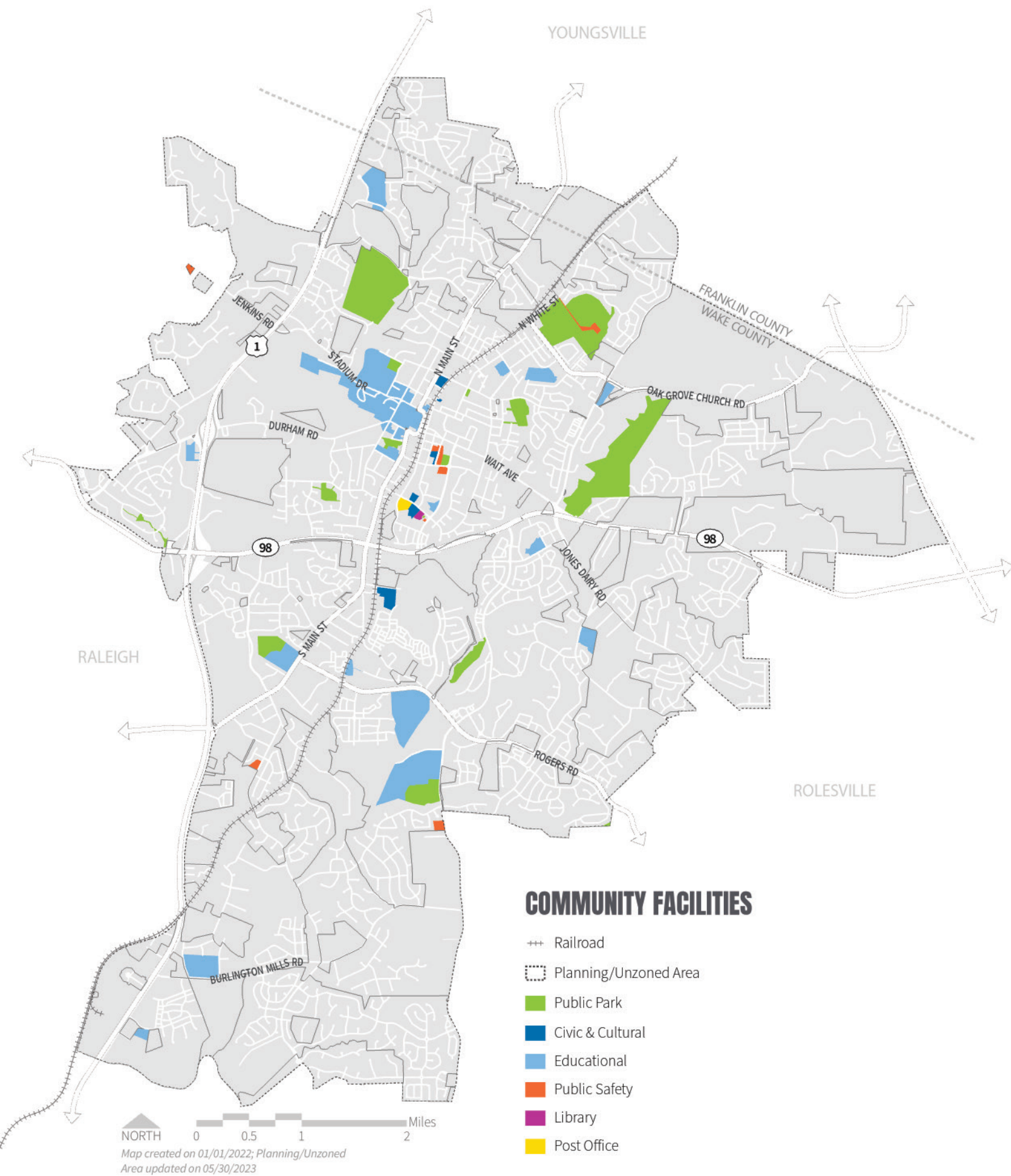
COMMUNITY FACILITIES

As Wake Forest continues to grow, so too will the demand for community services and facilities, including infrastructure, libraries, schools, recreational amenities, and public safety services. As the needs and desires of residents change over time, the Town should plan ahead for increases in service demands and need for new amenities. Long-term planning and coordination with respective service providers will be key to ensuring the efficient and equitable distribution of new and expanded facilities and services.

Key Recommendations

- Expand Town facilities concurrently with new growth.
- Annually review the Town's Work Management Plan, Staffing, and Budget section to reflect current needs and priorities.
- Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to identify strategies to close gaps in park service areas, such as west of Capital Boulevard and the southern and eastern portion of Town.
- Work with the Wake Forest Parks, Recreation, and Cultural Resources Department to expand equity in the quality of public park facilities and programming.

- Explore green infrastructure options that also beautify spaces, like bioswales and planters.
- Continue to work with regional educational entities to provide support as they seek new facility locations or expansion with growth.
- Coordinate with regional educational entities to ensure increased equity in educational facilities across the community.
- Coordinate with the Police and Fire Departments to ensure response times are sufficient for all areas of town with growth.
- Consider emerging best practices for community safety, such as mental health crisis response teams.
- Promote and incorporate sustainable building practices into community facilities, setting a precedent for private developers to implement.
- Coordinate with regional healthcare providers to explore opportunities to locate a full service hospital or regional medical facilities in the Town.
- Evaluate existing streets and explore UDO updates to address traffic congestion, traffic speed, reduce collisions, and improve safety conditions for all modes of transportation.
- Regularly update the Town Pavement Management System program.





PUBLIC TRANSIT

Public transit is important for providing more sustainable transportation options and for helping increase connectivity throughout the Town and to nearby communities like Raleigh. Transit decreases the number of cars on the road, which reduces congestion and greenhouse gas emissions, improves air quality, and frees up land for uses other than parking. Transit also provides equitable and affordable transportation alternatives, which is particularly important for residents who may not have access to a personal car or are unable to drive due to medical conditions, disabilities, or young age.

Bus Services

Wake Forest is currently served by two bus lines provided by GoRaleigh and GoTriangle:

- **Wake Forest Loop (WFL)** – a free circulator bus route that serves neighborhoods around Downtown, S Main Street, Stadium Drive, and the service roads west of US 1.
- **Wake Forest Raleigh Express (WRX)** – a commuter bus service connecting to Downtown Raleigh running hourly service during peak hours.

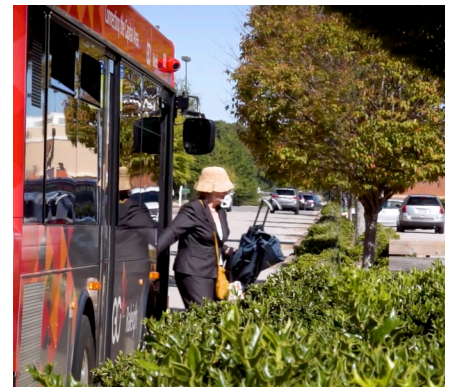
COMPREHENSIVE TRANSPORTATION PLAN

This Additional Considerations chapter provides a high level overview and recommendations for transportation and mobility within Wake Forest. For more detailed information and recommendations, see the Wake Forest Comprehensive Transportation Plan (CTP).

A new bus line, Route 2L, is planned by GoRaleigh, which would provide hourly service from Downtown Wake Forest to WakeMed North Hospital in Raleigh. This route will be funded partially by the Wake County Transit Tax, which was approved by Wake County voters as a half-cent sales tax to improve transit services in the region.

Key Recommendations

- Continue to work with transit partners to consider more frequent service and route network expansions to key locations to improve rider experience and attract more usage of mass transit.
- Coordinate with property owners, private developers, and transit partners to set aside land for transit stops at appropriate locations. The Town should obtain a transit easement for these locations and construct and maintain quality bus shelter infrastructure.
- Work with GoRaleigh and GoTriangle to construct smart bus shelters, or sustainable shelters that incorporate elements like interactive screens with live timetables, smart lighting, solar panels, and bike lock stations.
- Explore incorporating public art into bus shelters.
- Continue to evaluate and coordinate Park and Ride locations with transit partners.
- Explore best long term transit options such as fixed or microtransit.



S-LINE

The S-Line is a rail corridor that is being considered for local commuter rail service and regional intercity passenger rail service along the planned Southeast High-Speed Rail Corridor. Local connections would include Wake Forest, Apex, Cary, and Raleigh among others, with direct regional connections to Washington D.C. and Richmond, Virginia.

Direct access to the S-Line with stations in Wake Forest could open significant opportunities for the Town in terms of population, land use, economic development, and tourism. This rail connection could accelerate the population growth within the Town, increasing demand for housing, municipal services, employment opportunities, and more. New train stations would also make Transit Oriented Development (TOD) a viable option in the immediate vicinity, meeting much of the demand for new housing while creating a more walkable community.

Additionally, the S-Line could boost tourism within Wake Forest by significantly improving both regional and local access. Tourism combined with more business-related travelers in the area can have a positive local effect on economic development. The Town should continue to work with NCDOT in coordinating the project and plan for TOD around future stations.





CAPITAL BOULEVARD

Capital Boulevard or US 1 is the Town's primary roadway that cuts north/south through Wake Forest. It is where much of the community's commercial corridor development has occurred, yet much land has remained undeveloped due to the uncertainty of North Carolina Department of Transportation's (NCDOT) plans for roadway designs. Anticipated to start in October 2024, the US 1 Conversion Project (U-5307) will convert the roadway into a controlled-access highway from I-540 to Harris Road/ Purnell Road in Wake Forest. At-grade and signalized intersections at Burlington Mills Road, S Main Street, Dr Calvin Jones Highway, Durham Road, and Stadium Drive will be removed and converted to interchanges or grade-separations, with access provided by service roads along US 1 on either side. Once completed, the conversion will address existing congestion issues and open major opportunities for growth along Capital Boulevard.

Key Recommendations

- Continue to work closely with NCDOT to implement the project and promote commercial growth in accordance with the Land Use Plan.
- Continue advocating for improvements along the corridor to assist in improving the quality of life for Wake Forest residents, businesses, and property owners.





STREET CONNECTIVITY

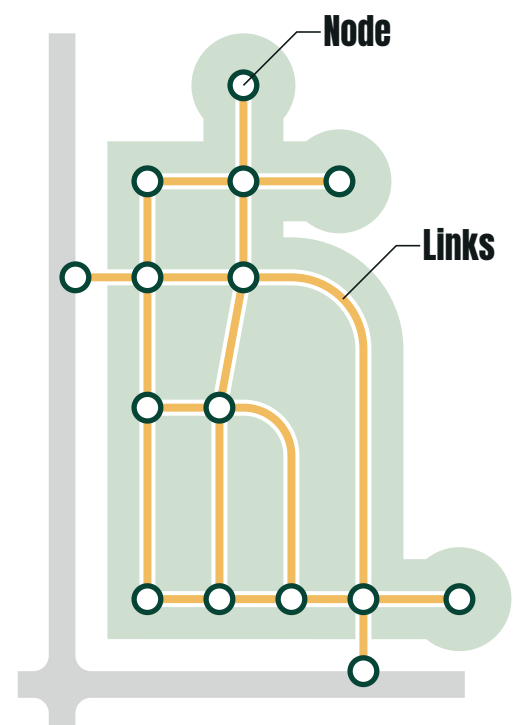
Much of Wake Forest's residential areas feature a curvilinear roadway system with cul-de-sacs common to suburban development patterns. This configuration reduces connections between neighborhoods and major roadways and increases dependency on automobiles. While this can achieve some privacy for residential properties, it contributes to congestion by increasing distances and travel times between destinations and creating bottlenecks during peak travel times. The goal of new development should be to create a road pattern that more closely resembles a grid while allowing for curvature in the road. This would, increase the number of intersections, improve ease of navigation, reduce walking distances, and decrease vehicular travel times—including the response times of emergency services.

Connectivity Index

To improve traffic management and community connectivity, the Town should consider establishing a connectivity index minimum requirement for all new residential subdivisions. A connectivity index measures the ratio of the number of blocks (links) to the number of intersections (nodes) in the street network. A higher connectivity index reflects a greater number of blocks entering each intersection, and thus a higher level of connectivity for the neighborhood. Connectivity indexes typically fall within the range of 1.2 to 1.4.

Key Recommendations

- Promote short blocks of less than 600 linear feet between intersections of local roads to improve walkability.
- Avoid dead-ends, cul-de-sacs, and T-intersections in places where four-way intersections can be aligned.
- Study the appropriateness of traffic circles at four-way intersections to ease congestion and improve safety.



Connectivity Index Calculation

Links: 19

Nodes: 15

Connectivity Index: $19 / 15 = 1.26$



SIDEWALKS & MULTI-USE PATHS

Sidewalks and multi-use paths are critical to pedestrian and bicycle connectivity and promote community interaction and active lifestyles. They connect neighborhoods and provide safe routes to shopping areas, schools, and other key destinations. Historically, Wake Forest developed without sidewalks outside the central business district. While the sidewalk and multi-use paths network has grown over recent years, many gaps still exist and there is an opportunity to connect smaller clusters of existing networks. In coordination with the CTP, the Town should continue to expand its sidewalk and multi-use path network to provide a comprehensive and accessible system. This may require future acquisition of land to construct public sidewalks and paths.

Key Recommendations

- Update the CTP to include an inventory of sidewalks in addition to multi-use paths and establish project priorities, private-public funding, and time frames for closing gaps in the network.
- Update the CTP to identify priority areas for high visibility crosswalks, bulb outs, refuge islands, rectangular rapid flashing beacons, and other pedestrian improvements.
- Work with Public Works to identify crosswalk ramps that are not ADA compliant and prioritize upgrades.
- In coordination with roadway improvements, upgrade aging sidewalks or install new sidewalks if none exist.
- Promote sidewalk, multi-use path, or trail connectivity between residential subdivisions and nonresidential development to improve pedestrian and bicycle connectivity.
- Continue to ensure all new residential development provides sidewalks on both sides of the street.
- Encourage multi-use paths to be provided along the main road in developments.
- Ensure multifamily and commercial developments include strong pedestrian networks within and between their sites.



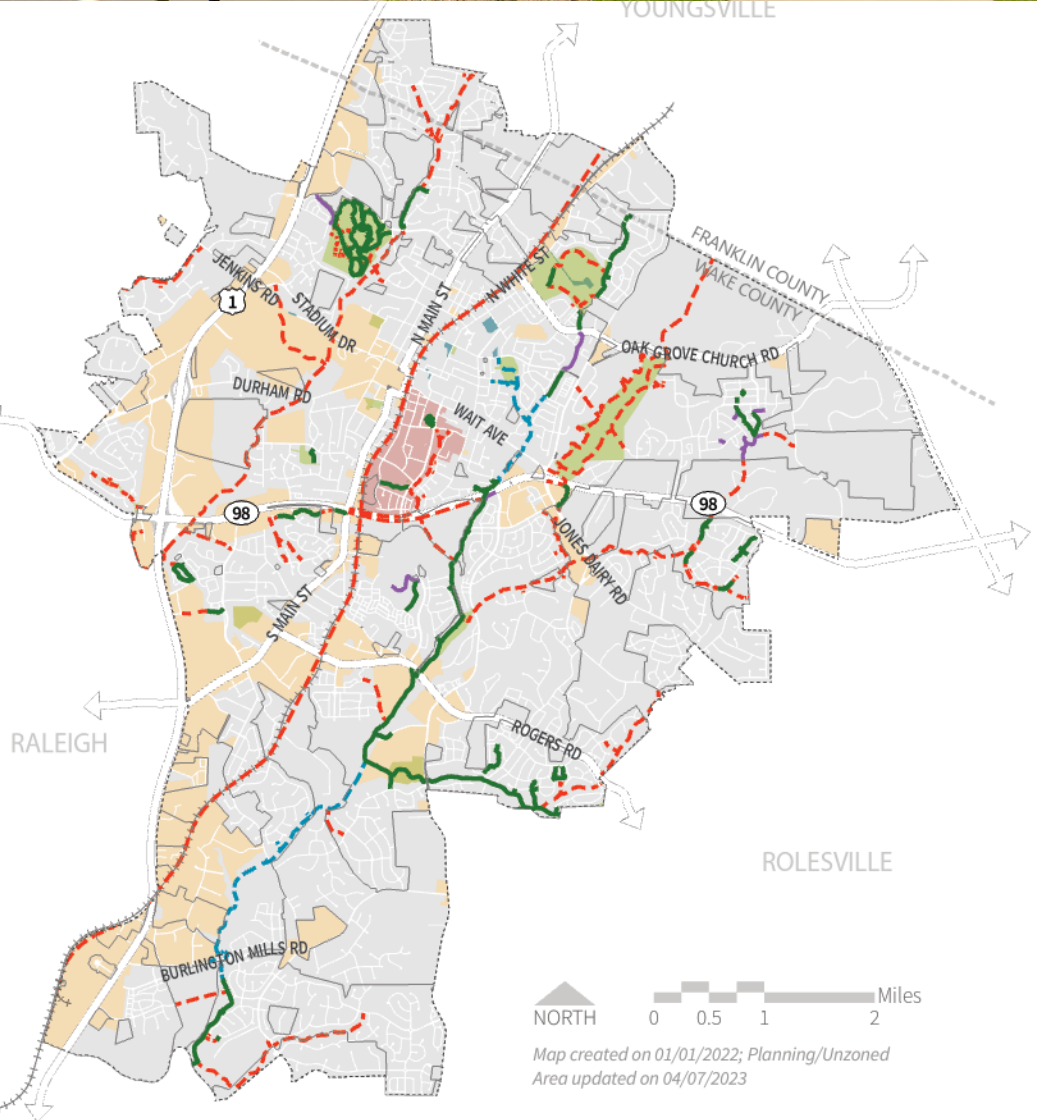


BIKEWAYS, GREENWAYS & TRAILS

Like sidewalks and multi-use paths, bikeways, greenways, and trails contribute significantly towards mobility for active transportation within Wake Forest. They also provide outdoor recreational opportunities and connect residents and visitors to local and regional natural amenities. In coordination with the CTP, the Town should continue to expand its bikeway, greenway, and trail network across the community. This may require future acquisition of land to construct publicly accessible routes. The expanded network should also be marketed as a tourism asset to draw visitors to the community.

Key Recommendations

- Identify trail head locations as the greenway and trail network continues to expand.
- Explore opportunities along greenways to add amenities (i.e. water fountains, seating/rest areas, pocket parks, public art, and fix it stations) and programming with the Parks, Recreation, and Cultural Resources Department or other organizations like StoryWalks.
- Encourage development along greenways to incorporate greenway access into the site, particularly for uses attractive to trail users (i.e. restaurant, cafes, and bars).



GREENWAYS

- Planning/Unzoned Area
- Railroad
- Existing Greenway
- Greenway Under Construction
- Greenway in Capital Improvement Plan
- Proposed Greenway
- Public Park
- Downtown
- Shopping & Employment Area
- Community Facility



LOCAL FOOD SYSTEMS

A food system comprises of food production, processing, distribution, consumption, and waste management. Such activities are rooted in the community in a local food system and help address food insecurity in addition to supporting the local economy. Local food systems can help connect local farmers directly to consumers boosting income, providing employment opportunities as well as access to fresh food. To promote local food system and support the local food economy, the Town should pursue the following recommendations:

Key Recommendations

- Continue to support the Northern Community Food Security Team and together explore other locations for community food hubs within the Town.
- Partner with local food cooperatives and regional food networks, such as the Capital Area Food Network, to address food insecurity in the community.
- Encourage regenerative practices, such as use of organic fertilizers, crop rotation, and crop variation for healthy soil.
- Conduct a meal gap survey to better assess the immediate and long term needs in the community.
- Evaluate the economic impact of local food systems in the community to encourage localized marketplaces for food producers.
- Explore updates to the UDO that would promote urban agriculture and repurposing of vacant or underutilized lots for such uses.





CONSERVATION DESIGN

An effective approach the Town can take to preserve and protect green space is to promote conservation design subdivision development. Conservation design is where residential development is concentrated into developable areas of the property to preserve contiguous areas of open space and environmentally sensitive areas. The clustering of homes allows larger areas of green space to be preserved, which can be enhanced as common open spaces or parkland. This approach can also help protect wetlands, floodplains, wildlife habitats, and other environmentally sensitive areas.

Key Recommendations

- Encourage conservation design in the UDO's subdivision development regulations, particularly for areas within watershed protection areas.
- Explore incentives for promoting conservation design, such as density bonuses to allow for comparable number of housing units but greater preserved green space within the site.
- Encourage developers to enhance preserved green spaces as accessible amenities for residents, such as trails and outdoor seating.



Typical Subdivision

- 24 Lots
- Minimum Lot Size: 1 to 2 acres
- No Undivided Open Space



Conservation Design

- 24 Lots
- Lot Size Range: less than one acre
- 50% Undivided Open Space



GREEN SPACE PRESERVATION

During public engagement, community members voiced concern for preserving green spaces and forested areas in the face of ongoing growth. Green space and natural resources are valued by the community as they add to the character of the Town, mitigate stormwater runoff, and support wildlife and their habitats. While much of these natural areas exist within undeveloped private properties that the Town has limited control over, there are strategies the Town can implement to promote the preservation of valued green space and protection of wildlife.

Key Recommendations

- Prioritize higher density redevelopment and infill development within already developed areas to avoid premature development in long term growth areas and reduce greenfield development.
- Work with private developers to preserve significant natural assets within sites, such as streams, steep slopes, unique geological formations, wetlands, and mature stands of trees, which can be incorporated as development amenities.
- Continue to identify and strategically acquire environmentally sensitive land to preserve as dedicated conservation areas and publicly accessible open space.
- Explore incentives to promote conservation design in future development, such as density bonuses, to promote clusters of taller structures that preserve natural areas of the site.
- Explore strategies to further promote green space preservation within the updated UDO, such as increasing set aside requirements, and evaluate what is credited as open space.
- Explore strategies to further protect wildlife and environmentally sensitive areas in the UDO.





TREE CANOPY

A tree canopy provides numerous advantages for a community, including enhancing its character, cleaning the air, conserving water, and cooling urban heat islands. Tree canopies can also increase property values and economic vitality due to its direct positive effect on neighborhood appearance and desirability. The Town is responsible for maintaining about 14,700 street trees, 630 acres of forests, and more than 1,000 maintained trees in parks and on Town property. Wake Forest has also been designated as a Tree City USA by the Arbor Day Foundation since 1979 due to its dedication to preserving the urban tree canopy. To continue to promote tree preservation, the Town should pursue the following recommendations:

Key Recommendations

- Continue to support the Town in administering the Urban Forestry Program and planting, preserving, and maintaining trees on public properties and rights-of-way.
- Explore updates to the UDO that could further promote tree preservation and replacement in new developments.
- Review existing incentives and consider additional incentives for private developers to promote tree preservation above what is required by the UDO.
- Explore ways to increase the number of trees required in parking lots during the update to the UDO, such as requiring an island every 20 parking spaces or decreasing the minimum distance a parking space can be from a tree.
- Ensure public and private tree plantings and xeriscaping are made up of native plant species that are adapted to local environmental conditions and require less irrigation.
- Coordinate efforts to influence State regulations related to the expansion of tree preservation standards.





SUSTAINABLE DEVELOPMENT

As Wake Forest continues to grow, it should strive to set itself apart in the region as a community committed to sustainability. By supporting a healthy, sustainable environment and promoting green development practices, the Town can help ensure the well-being of residents and the protection of its natural assets for generations to come.

Adaptive Reuse

Adaptive reuse is the method of repurposing or “recycling” an existing structure for a new use other than for what it was initially intended for. Adaptive reuse can be used to bring life to aged, underutilized, or disinvested buildings in the community that are still structurally sound and feature desirable built form. It can also be leveraged to preserve Wake Forest’s historic structures and heritage while supporting new, activated uses.

Green Buildings

Green buildings are buildings that are designed to reduce or eliminate negative impacts on the environment and human health. They are efficient structures that reduce the resources used (energy, water, and materials) through improved siting, design, construction, operation, maintenance, and removal. Leadership in Energy and Environmental Design (LEED) Certifications are awarded to development that meets the sustainability standards of the Green Building Rating System.

CASE STUDY WEST GEER STREET

DURHAM, NORTH CAROLINA

Located at the edge of Downtown Durham, West Geer Street between Foster Street and Madison Street features successful examples of adaptive reuse. Many seemingly obsolete buildings like former auto repair shops or industrial buildings were repurposed into trendy new restaurants, lounges, and bars with façade art and outdoor patios. Through repurposing older structures, the area was able to retain much of its original gritty character, while reinvestment stimulated new energy and activity into the area. Nearby apartment buildings also contribute to resident foot traffic and the economic viability of the area. A similar approach should be considered for repurposing existing auto-oriented structures along S White Street, such as unique food and drink establishments and collaborative workspaces.





Low Impact Development

Low Impact Development (LID) is the integration of green infrastructure and conservation of on-site natural features to mitigate stormwater runoff and protect water quality. Green infrastructure is an attractive and sustainable alternative to traditional concrete (or “gray”) infrastructure that substitutes paved and hard surfaces with vegetated or permeable areas. It has numerous environmental benefits on top of stormwater management, including reducing urban heat islands, improving air quality, and promoting economic vitality through attractive urban settings. Examples include incorporating permeable surfaces, xeriscaping, grassed swales, rain gardens, bioretention strips, and green roofs into parking lot, streetscape, and building designs. Native and locally adapted vegetation should be encouraged to support LID, pollinators, and wildlife habitats.

Key Recommendations

- Encourage private developers to incorporate green building, LID, and green infrastructure practices in future developments.
- Incorporate green infrastructure into public streetscapes, prioritizing pedestrian-oriented areas like Downtown, TOD, and Neighborhood Commercial areas.
- Continue to incorporate sustainable design best practices into Town-owned infrastructure and community facilities, striving to incorporate LEED practices into future facilities.
- Use the Environmental Protection Agency’s (EPA) “Revising Local Codes to Facilitate Low Impact Development” guide to help identify regulations within the UDO that discourage LID practices.
- Evaluate potential rainwater collection programs and composting programs.
- Explore an incentive program to encourage development to provide stormwater when lots are exempt from stormwater requirements.
- Update the Manual of Specifications, Standards, and Design (MSSD) to reference green infrastructure design.
- Explore decommissioned rights-of-way as potential stormwater routes.
- Support the use of attractive, safe, and sustainable street furniture and infrastructure, such as solar streetlights, and LED traffic lights.
- Expand the electric vehicle (EV) charging network by requiring the installation of charging stations, or the infrastructure needed to accommodate future charging stations, in all new parking lots, especially parking lots of multifamily and large scale developments, and increasing supply of public charging stations.
- Promote adaptive reuse over redevelopment for structures that are structurally sound, feature desirable built form, and/or are historically significant. This includes creating an online inventory of buildings available for adaptive reuse.
- Investigate developing a solar energy ordinance and enrolling in the SolSmart program, a national designation program funded by the US Department of Energy charged with making solar power faster, easier, and more affordable.
- Explore ways to incentivize renewable energy and passive solar design in the Town’s development standards. SolSmart’s Solar Energy Toolkit can be used as resource for better promoting solar panels within the code.
- Continue partnership with Raleigh to encourage homeowners to incorporate practices for water conservation.



TOURISM

Tourism is an important asset to a community as it draws new visitors to the area to spend time and money and enhances the community's reputation and identity. Tourism can be a tool for economic development, increasing local tax revenues and job opportunities for tourism-based industries. Wake Forest offers many assets that can be leveraged for tourism, including the historic Downtown, the Renaissance Centre, parks and greenways, and the Wake Forest Historical Museum. Heritage tourism can also be promoted based on the Town's historic districts and structures, such as the Ailey Young House. In addition, the future S-Line passenger rail service also presents major potential to provide an entryway for thousands of visitors each year to travel to and through Wake Forest, improving the economic viability of activity centers and hotels in the area.

Destination 2028

Destination 2028 is a strategic plan led by the Greater Raleigh Convention and Visitors Bureau with the goal of attracting 21.7 million visitors to Wake County annually. In this plan, shopping and retail experiences are identified as one of the main reasons people visit Wake County, and Downtown Wake Forest is specifically referenced as a key destination. The County as a whole is experiencing growth in tourism, driven by Raleigh-Durham International Airport, higher education institutions, business and research centers, and other leisure and cultural opportunities. The Town should leverage these resources to ensure Wake Forest capitalizes on this momentum for many years to come. Destination 2028 should be used as a guiding document to understand how coordinated private and public investments in Wake Forest and neighboring areas can complement each other and contribute to a cohesive regional tourism identity.

Arts & Culture

Wake Forest enjoys an active arts community that, with the right support, could help turn the Town into a regional arts destination. Downtown features a cluster of galleries, studios, and art shops along S White Street, including the Renaissance Centre for the Arts. These establishments are within walking distance of each other, making coordinated events or arts-centric neighborhood branding an opportunity. The Factory, located on South Main Street, offers another cultural draw to Wake Forest as both a shopping center and sports and entertainment complex. The Town should supplement these various cultural assets with decorative signage, gateways, public murals, and sculptures, as well as establish recurring and special events to activate parking lots and public spaces.

CASE STUDY ARTS & DESIGN DISTRICT

CARMEL, INDIANA

Carmel, Indiana is a city located just north of Indianapolis whose tourism is bolstered by its own Arts and Design District. The District features a cluster of art galleries, interior designers, showrooms, antique stores, a design center, and specialty retail stores immediately surrounded by residential uses. The District is further activated by recurring festivals focused around art, wine, food, and music. Decorative brick sidewalks and crosswalks, fountains, decorative lighting, and plentiful outdoor seating all help achieve a cohesive, memorable sense of place. Brewpubs, restaurants, and higher density residential buildings help ground the District as a neighborhood that is financially robust at all times of the day and year. The Arts and Design District has helped the City earn the ranking of the best place to live in the United States for two years in a row by data company Niche.





Placemaking

Placemaking helps define a community's identity and contributes to a unique sense of place that differentiates it from other areas of town and the region. Placemaking combines branding, beautification, and functional infrastructure to create new draws to the community, encouraging formal and informal social interactions. Examples of placemaking efforts by the Town include banner signs, decorative streetlights, planters, and public art on Jones Avenue and S White Street in Downtown. The Town should continue these efforts to incorporate placemaking elements. Public gathering spaces such as plazas and parklets should be used in combination with decorative signage and lighting, seating areas, planters, and other beautification elements to create cohesive and inviting destinations.

Key Recommendations

- Grow the Town's art community and reputation as a regional arts destination with a Downtown focus.
- Explore the potential of constructing a recreational destination facility with a regional draw.
- Develop annual Tourism Economic Impact Reports to help quantify progress made in Wake Forest's tourism sector and identify trends, issues, and opportunities that can help Town staff prioritize future investments.
- Support the Wake Forest Area Chamber to create and market a local visitor's center as a public resource hub for the Town's attractions, events, and businesses for visitors.
- Leverage Wake County's Room Occupancy Tax to build, finance, and create new establishments or run events related to tourism, allowing the Town to capitalize on its success in drawing hotel occupants.
- Create a community-wide wayfinding plan to improve sense of place and signage that directs visitors and residents to Town destinations.
- Continue to support Wake Forest Downtown Inc. (a Main Street America accredited program) in meeting the National Accreditation Standards of Performance as outlined by the National Main Street Center.
- Continue to participate in the NC Main to Main Trail program, a network that connects the State's Main Street America communities, and leverage this designation in the Town's marketing strategy.
- Investigate hiring consultants to provide a comprehensive evaluation of Town events and provide recommendations for improved programs.
- Explore the creation of a social district, where customers can carry and consume food and drinks purchased from businesses outside in a designated zone.

CASE STUDY RIVER DISTRICT

DANVILLE, VIRGINIA

Danville, Virginia is a city located approximately 40 miles northwest of Greensboro, North Carolina that has done a commendable job branding itself for tourism and development. In 2013, the City released design guidelines for a new River District that covered aspects like historic and new buildings, sidewalk dining, outdoor displays, signage, awnings, streetscaping, open space, and maintenance. In 2015, the City launched a new branding strategy for the River District with a logo and modern color scheme—this is featured on the numerous banners that line the District's streets and on wayfinding signage that points visitors towards key destinations and routes. The River District is further completed with new sidewalks with brick pavers, decorative lamps, benches, landscaping features, public Wi-Fi, a plaza, bike parking, and a trailhead. The City also offers economic incentives in the form of grants, loans, and fast-track permitting processes, and tax incentives for historic renovations, job creation, niche retailers, upscale restaurants, and unique eateries.



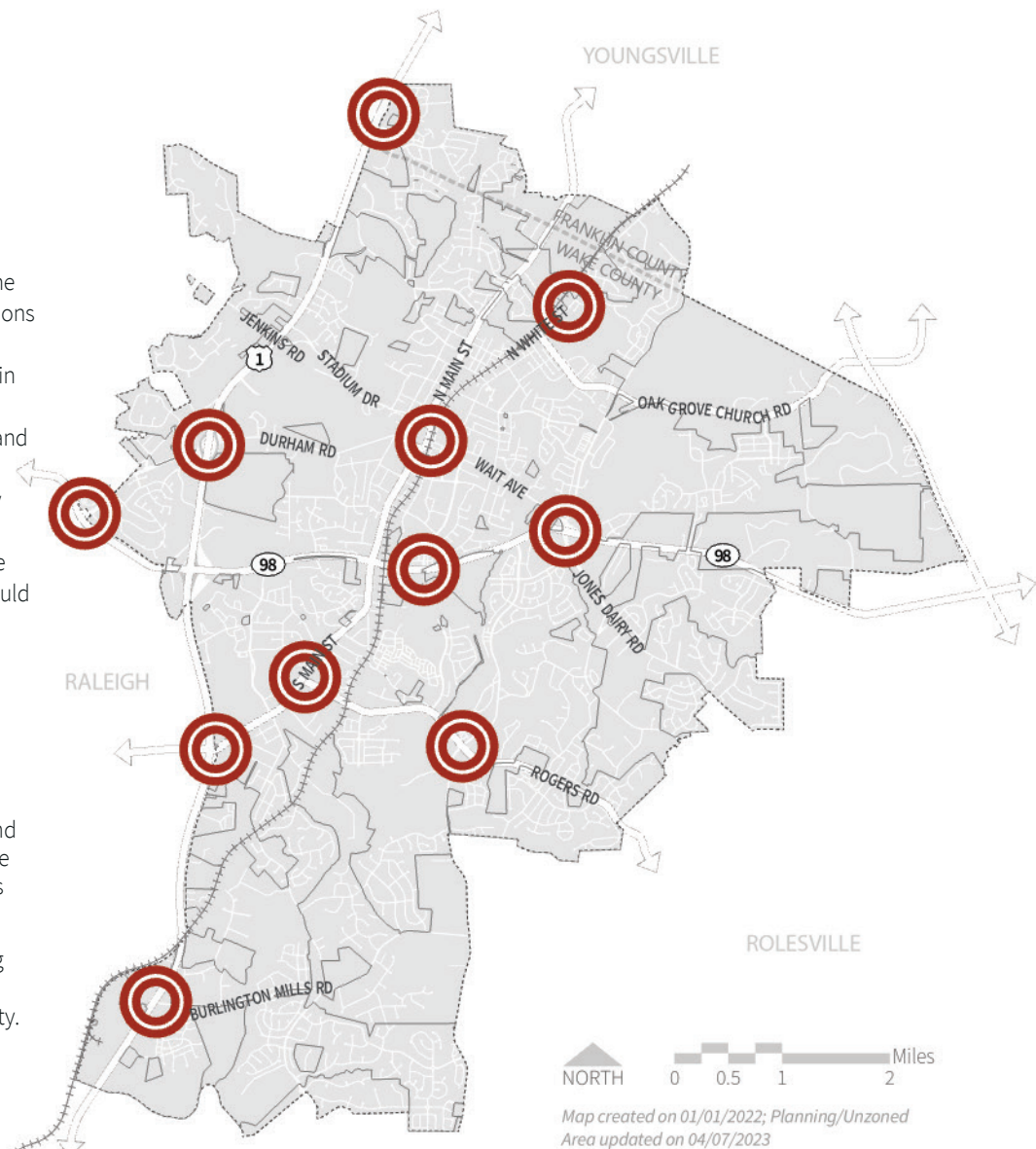


GATEWAYS

Major thoroughfares and intersections present opportunities to create gateways that welcome residents and visitors into the community. Wake Forest has several locations where gateways could be constructed to improve aesthetics and present the Town in a positive light, such as the intersection of South Main Street and Capital Boulevard and key entry points into Downtown. Gateway features could include decorative archway signs, monument signs, public art, and/or landscaping. Disinvested or unattractive buildings surrounding gateway points should be prioritized for improvement through redevelopment, rehabilitation, screening, and/or landscaping.

Key Recommendations

- Create a Gateway Plan to identify and prioritize sites for gateway features and establish design standards. Ensure the Plan works in synergy with the Town's Wayfinding Plan.
- Improve roadway infrastructure along key gateway routes to enhance their character and multimodal connectivity.



GATEWAYS

- Potential Gateway
- Planning/Unzoned Area
- ++ Railroad



Renaissance Plan

for Downtown Wake Forest, NC

SEPTEMBER 2017

DOWNTOWN WAKE FOREST

While this Downtown Area Plan (see page 58) provides guidelines for land use and development within Downtown, the Town's Renaissance Plan provides more detailed recommendations for reinvestment, economic development, marketing, programming, parking, and streetscaping. The Renaissance Plan was adopted in 2017 but should be updated to ensure it reflects current development potentials and responds to the existing and future needs of the community. Conformance with the Downtown Area Plan should be reviewed. This may include reducing the Renaissance Plan study area boundary to focus on the Downtown Core Area.

Key Recommendations

The Renaissance Plan update should address the following Downtown Considerations:

- **Increase Density** – evaluate existing zoning regulations around density in appropriate locations to balance Downtown's development potential with preserving its historic character.
- **Thoughtful Downtown Infill** – identify strategies to fill vacant buildings Downtown that promote an entrepreneurial and small-business culture.
- **Attractions for All** – identify strategies to attract families and younger populations to Downtown with inviting public spaces, entertainment, and destinations for all ages.
- **Building Orientation** - provide guidelines for how buildings should be orientated to support pedestrian-friendly environments.
- **Parking** – reassess parking demand and supply with consideration for a new parking garage(s) to minimize surface parking lots.
- **Downtown Experience** – identify strategies to create an “experience-based” Downtown retail environment with unique local businesses and a pedestrian-oriented environment.
- **Gateways & Wayfinding** – reassess strategies to improve gateways and wayfinding to and within Downtown to better direct people and create a distinct sense of place.
- **Community Events** – identify opportunities for Downtown events and public gathering spaces to bring the community together, such as live outdoor events and festivals.

5 Implementation

To ensure the vision and goals of the community are attained, proactive implementation of the Wake Forest Community Plan is essential. The Plan provides policies and recommendations the Town should undertake over the next 10 to 20 years for the vision to be realized. Close coordination with and participation of local departments, regional public agencies, neighboring communities, community groups and organizations, the business community, property owners, developers, and residents will be key in the success of its implementation. The following chapter provides best practices on how to use the Plan as well as funding sources to consider.



NEXT STEPS

The following actions and strategies establish the “next steps” to be taken after the adoption of the Wake Forest Community Plan. They will provide for the effective application of the Plan and continued community planning and investment, and ensure the Plan remains reflective of community needs and aspirations. They include:

- Reference the Community Plan on a regular basis to guide Town policies and decision-making.
- Review and update the Unified Development Ordinance and other development controls to reflect policies presented in the Wake Forest Community Plan.
- Update and incorporate the Capital Improvement Plan (CIP) with Plan recommendations for CIP infrastructure improvements.
- Promote cooperation and participation among various agencies, organizations, community groups, and individuals.
- Regularly review and update the Plan to reflect current conditions and shifts in community priorities.
- Establish meaningful partnerships with internal and external organizations and agencies.
- Explore possible funding sources and implementation techniques.

Reference the Plan Regularly

The Community Plan should be referenced regularly as the official policy guide for planning decisions made by Town staff, the Board of Commissioners, and the Planning Board. It should be used as a primary resource to assist with policy formation, prospective projects, legislative and quasi-judicial development proposals, and planning initiatives, ensuring that future decisions are in line with the Town’s set goals for land use and development. Further, service providers and partner organizations should be encouraged to use the Plan when considering new development, facilities, infrastructure updates, and programming within their parameters. The Plan should be used to:

- Evaluate and shape policies and regulations.
- Work with partner agencies and service providers.
- Review and evaluate development proposals.
- Prioritize public expenditures.
- Encourage private sector investment.
- Coordinate new facilities, infrastructure, and programming.

Development Regulations

While the Wake Forest Community Plan articulates a vision for the community, the Town’s development regulations are one of the primary tools that can be used to implement Plan recommendations. Following adoption of the Community Plan, the Town should consider a process to update the current Unified Development Ordinance to ensure that regulations reflect current Town policy and the desires of the Wake Forest community. Amendments to development regulations and design standards should consider complementary programs and incentives that can be used to achieve the community’s vision for economic development, neighborhood character, connectivity, and other aspects of the Plan.



Capital Improvement Plan (CIP)

It is important that the implementation of the Wake Forest Community Plan is coordinated with the Town's financial resources and capital planning. This will help ensure future capital investments successfully address both short- and long-term objectives of the Plan and are strategically budgeted and prioritized. CIP projects include improvements for the maintenance of Town assets such as roadways, sidewalks, multi-use paths, stormwater maintenance, public art, as well as other improvements requiring capital expenditures relating to public infrastructure.

The Town should review and integrate the Wake Forest Community Plan into the capital improvement process, including the Town's annual budgeting process and during updates to the CIP. This will help assess funding needs and plan for potential sources, ensuring completion of desired improvements in a prioritized manner over the life of the Plan.

Local & Regional Cooperation

To ensure the success of the Community Plan's implementation, there must be strong leadership from the Town and coordination with other public agencies, neighboring communities, community groups and organizations, the local business community, the private sector, and other key stakeholders. As many of the recommendations included within the Plan pertain to issues extending past Town and ETJ limits, such as water quality or roadway connectivity, regional cooperation will be key in addressing them.

Regular Updates

The Wake Forest Community Plan is not a static document, and it is intended to evolve with shifts in trends, issues, and opportunities. If community attitudes change or new challenges arise which are beyond the scope of the current Plan, the Plan should be revised and updated accordingly. Although a proposal to amend the Plan can be brought forth by petition at any time, the Town should systematically review the Plan annually and evaluate updating every five to seven years.

Ideally, the review and preparation of the Plan's annual action agenda should coincide with the preparation of the Town's budget and CIP. In this manner, recommendations or changes relating to capital improvements or other programs can be considered as part of the commitments for the upcoming fiscal year. Routine examination of the Plan will help ensure that the planning program remains relevant to community needs and goals.

PARTNERS

Wake Forest's regional position makes it essential that the Town develops and maintains partnerships with a wide variety of groups and organizations. Facilitating regular communication and cooperation with partners will support implementation of the Land Use Plan and identify opportunities to work collaboratively toward mutual interests. Further, it will facilitate a greater regional perspective in how issues are addressed in the area.

Wake Forest already has a wide variety of partnerships, which should be maintained in the future. Possibilities for new partnerships with organizations and agencies should be identified by the Town to aid implementation. This could include neighboring municipalities, regional and state agencies, neighborhood groups, the local business community, and other groups with a vested interest in Wake Forest.



POTENTIAL FUNDING SOURCES

The following is a list of possible funding sources that the Town could pursue to fund the implementation of the Wake Forest Community Plan.

Affordable Housing

- Low Income Housing Tax Credit Program (LIHTC)
- Community Development Block Grant (CDBG)

Economic Development

- General Economic Development
- Municipal Service District (MSD)
- Triangle J Council of Governments Economic Development District (EDD)
- Local Discretionary Grants
- Incubators
- Community Development Financial Institutions Fund (CDFI Fund) – New Market Tax Credits
- Debt vehicles-GO Bonds
- Certificates of Participation (COPs)
- Special Obligation Bonds (SOBs)
- Federal grants, such as from the Environmental Protection Agency (EPA) and United States Department of Agriculture (USDA)
- Foundations
- U.S. Economic Development Administration
- Competitive utility rates utilizing coincident peak structure

Job Creation & Capital Investment

- Wake County Business Development Grant
- Job Development Investment Grant (JDIG)
- One North Carolina Fund (One NC)
- North Carolina Small Business Center Network (SBCN)
- North Carolina Small Business Technology and Development Center (SBTDC)
- North Carolina Biotechnology Center Economic Development Award
- Small Business and Innovative Research (SBIR) Program

ACTION MATRIX

The Implementation Action Matrix offers a comprehensive list of all implementation strategies, policies, and recommendations contained within the Wake Forest Community Plan. The matrix provides Town staff with a tool to prioritize implementation activities and projects over the life of the plan. In addition, the matrix allows the Town to approve specific, actionable items on an annual basis and evaluate progress based upon completed implementation strategies.

While partners are not identified for each action item in the Action Matrix, the Town may partner with a number of agencies, non-profits, and private entities to achieve the objectives of this Plan.

The Action Matrix indicates the following three elements:

Action Item

Action items include capital projects, policy or regulatory amendments, and strategies that should be prioritized to lay the foundation for long-term Plan implementation.

Goal Alignment

Each action item is paired with thematic icons that identify the Plan's goals that it supports. See page 30 for descriptions of each goal.

Time Frame

Time frame indicates in approximately how many years the Town should begin to undertake the action item. Descriptions of each time frame are detailed below:

- **Ongoing**, currently being implemented and should continue to be implemented over time
- **Short-term**, less than two years
- **Mid-term**, two to four years
- **Long-term**, over four years

Action Matrix

#	Action Item	Goal Alignment	Time Frame
Land Use Plan (page 32)			
1-1	Align the Unified Development Ordinance (UDO) and Manual of Specifications, Standards, and Design (MSSD) to the recommendations of the Land Use Plan when next updated.	        	Short-Term
1-2	Update the UDO to target higher density mixed use TOD development (ground-floor commercial and upper-floor residential or office) in a pedestrian-oriented environment within about a half mile radius of future S-Line Stations.	       	Mid-Term
Housing Affordability (page 63)			
2-1	Implement the Affordable Housing Plan once it is complete.	  	Ongoing
Residential Character (page 64)			
3-1	Update multifamily design standards to ensure varied building frontages and rooflines, front porches, front yards, and balconies are incorporated.		Ongoing
3-2	Assess setback requirements for residential districts to ensure the setbacks of infill development match existing development.		Short-Term
3-3	Identify and remove barriers to appropriately scaled infill and redevelopment within older established neighborhoods (see Conventional Residential and Mixed Residential descriptions on Page 37 and Page 38, respectively).	  	Short-Term
3-4	Update the residential supplemental use standards to allow higher density housing along key corridors and surrounding activity centers in a manner that is compatible with surrounding neighborhoods.	  	Short-Term
3-5	Work with developers to locate lower density housing near existing single family detached neighborhoods in larger scale planned subdivisions that provide a mix of housing types.	 	Ongoing
3-6	Investigate updating subdivision development requirement to require a minimum mix of housing types in new residential neighborhoods.	 	Short-Term
3-7	Eliminate flag lots from the UDO to ensure consistent street frontage patterns.	 	Short-Term
3-8	Review and update the UDO to align with residential character recommendations within this Community Plan.	    	Short-Term
3-9	Evaluate current UDO requirements to remove barriers to and better promote accessory dwelling units (ADUs).	  	Short-Term
Senior Housing (page 65)			
4-1	Identify and remove barriers to the development of senior housing within a quarter mile of transit stops, Downtown, shopping areas, parks, and recreational facilities, including a variety of senior housing formats such as smaller lot, single story, ADA accessible homes, co-housing, and cottage home courts.	 	Short-Term
4-2	Update the UDO to remove barriers to supporting continuing care retirement communities (CCRC) or life plan communities.	 	Short-Term

 Support Strategic Growth

 Balance the Mix of Uses

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#	Action Item	Goal Alignment	Time Frame
4-3	Incentivize the inclusion of amenities that are attractive to seniors such as front porches, back patios, walking paths, outdoor sports facilities, and activated gathering spaces.	 	Short-Term
4-4	Investigate and provide incentives to developers to encourage universal design practices.	 	Short-Term
Commercial Development (page 66)			
5-1	Identify strategies to incentivize redevelopment and/or renovation of existing businesses over new greenfield commercial development.	    	Short-Term
5-2	Evaluate and implement expedited review and approval, fee reductions, and other approaches to support small, local businesses over franchises within commercial centers.	  	Ongoing
5-3	Update the commercial building design standards to include requirements for commercial building types to allow for flexibility while promoting quality design.	 	Short-Term
5-4	Establish a minimum building height requirement of two stories within Commercial Corridor and Neighborhood Commercial areas.	 	Short-Term
5-5	Establish multibuilding development standards to encourage pedestrian-oriented shopping environments with sidewalks, attractive storefronts, and buildings facing each other to create desirable sense of enclosure.	  	Short-Term
5-6	Require the incorporation of pedestrian/bicyclist/transit-oriented areas in large-scale shopping centers with outdoor seating and gathering areas, bicycle parking stations, and access to transit services.	   	Short-Term
5-7	Evaluate current requirements for cross-access and pedestrian pathways between adjacent parking lots and leading to buildings in the UDO.		Short-Term
5-8	Update the UDO to promote consolidated commercial driveways along major streets.	 	Short-Term
5-9	Update the UDO's current minimum building design requirements for primary, secondary, and tertiary façades to define when façade types apply and when 360 degree architecture is required.	 	Short-Term
5-10	Evaluate and update the UDO's triggers for sign updates or improvements to encourage businesses to replace existing, non-conforming signage with attractive signage that meets Town standards.	 	Ongoing
5-11	Establish outparcel/liner commercial building design standards to improve the character along primary roadways and break up views of large parking lots.	 	Short-Term
5-12	Review and update the UDO, including the US 1 Special Highway Overlay (SH1-O) and Dr Calvin Jones Highway Overlay (SH2-O) districts, to align with commercial development recommendations within this Community Plan.	 	Short-Term
5-13	Allow accessory commercial units and establish supplemental use standards that ensure neighborhood compatibility.	 	Short-Term
5-14	Evaluate policies for supporting businesses at risk of displacement.	  	Short-Term
5-15	Evaluate the UDO for building structure design in primary fire districts related to State building fire code.	 	Short-Term
5-16	Support the development of the new tech park west of the Southeastern Baptist Theological Seminary.	    	Ongoing

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#	Action Item	Goal Alignment	Time Frame
Minority & Women-Owned Businesses (page 67)			
6-1	Work with organizations to expand diversity, equity, and inclusion programs that are supported with grassroots community engagement.		Ongoing
6-2	Explore successful programs in surrounding communities that support minority and women-owned businesses to implement in Wake Forest.		Mid-Term
6-3	Explore and apply for regional, state, and federal grants available for minority and women businesses.		Mid-Term
6-4	Support informational sessions and/or provide educational resources to employers on how they can establish equitable work environments and policies within their businesses.		Mid-Term
Setbacks (page 68)			
7-1	Update landscape and other site development requirements to incentivize businesses to situate new buildings at or near the property line and locate parking to side and rear to improve walkability.	 	Short-Term
7-2	Assess setback requirements to ensure new development and redevelopment forms desirable continuity in the streetwall and the street facing façades of buildings.	 	Short-Term
7-3	Assess regulations to ensure adequate setbacks of industrial or other high intensity uses to reduce potential sound or visual impacts on adjacent lower intensity uses.	 	Short-Term
7-4	Reevaluate the UDO to allow for flexibility in setbacks in Downtown where existing conditions prevent a consistent streetwall, while maintaining a close interface with the street (e.g., utility, landscaping, and/or topography challenges).	 	Short-Term
Parking Lots (page 68)			
8-1	Review and update current UDO retrofit standards that require property owners to iteratively comply with requirements for parking lot perimeter and interior landscaping.	   	Short-Term
8-2	Require off-street parking to be located to the side or rear of the primary building.	  	Short-Term
8-3	Evaluate and revise current shared parking agreement regulations in the UDO to reduce the need for additional parking lots.	 	Ongoing
8-4	Reevaluate minimum parking standards and consider implementing maximum parking standards to reduce excessive requirements.	  	Short-Term
8-5	Monitor parking supply and strategically encourage structured or underground parking in higher density areas if needed (such as Downtown, TOD, and activity center areas) to reduce the amount of land dedicated to surface parking.	  	Ongoing
8-6	Consider offering incentives for structured parking, such as density bonuses, allowable lot coverage increases, and height limit increases.	 	Short-Term
8-7	Encourage the integration of structured parking into multifamily buildings to eliminate the need for surface parking lots.		Ongoing
8-8	Encourage North Carolina Department of Environmental Quality's (NCDEQ) Stormwater Nitrogen and Phosphorus (SNAP) nutrient-reducing practices, such as permeable surfaces.		Ongoing
8-9	Require pedestrian walkways in parking lots to enhance pedestrian connectivity and safety to businesses.		Short-Term

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#	Action Item	Goal Alignment	Time Frame
Screening & Buffering (page 69)			
9-1	Enhance screening and buffering requirements for industrial and commercial uses next to residential uses.	  	Short-Term
9-2	Evaluate strategies to encourage tree preservation along site perimeters.	 	Short-Term
9-3	Review and update requirements for screening of utility, loading, outdoor storage, and trash disposal areas that are visible from the right-of-way and adjacent development.	  	Short-Term
9-4	Require dumpster areas to be screened with masonry walls to match the primary building and use either metal or composite wood gates.		Short-Term
9-5	Promote the use of setbacks for walls and fences that allow for plantings between the property line and the right-of-way and adjacent development.	  	Ongoing
Community Character (page 70)			
10-1	Preserve vistas and view corridors that contribute to the economic and aesthetic value of Wake Forest.	 	Ongoing
10-2	Curate public outdoor spaces for important monuments and artworks to showcase them as anchors and entry points to neighborhoods.	 	Ongoing
10-3	Leverage historic structures, events, and people to create a sense of place through placemaking and branding.	  	Ongoing
10-4	Assess district standards and development requirements to ensure new nonresidential and multifamily development is contextual to existing scale, massing, setback, materials, architectural detail and/or features.	 	Short-Term
10-5	Evaluate and develop ordinance to require developers to incorporate landscaping to beautify neighborhoods and commercial areas, such as landscaped medians and roundabouts.	 	Short-Term
10-6	Incorporate landscaping and gateway features into existing public rights-of-way, such as landscaped streetscapes, green infrastructure, and public promenades.	 	Ongoing
10-7	Assess design standards for development along highly visible thoroughfares in the Town to ensure that Wake Forest's positive image is reinforced.	 	Short-Term
10-8	Update the UDO in accordance with the Land Use Plan to ensure incompatible, high intensity uses are located away from low intensity residential areas.	  	Ongoing
10-9	Continue to provide quality municipal services for the maintenance and upkeep of neighborhoods, such as street cleaning, snow removal, and trash disposal services.	  	Ongoing
10-10	Work with NCDOT to identify areas for roadway enhancements (e.g. more frequent grass cutting, upgraded landscaping, trash pick up, etc.).	 	Ongoing
10-11	Establish block standards for commercial areas to break up large tracts into more human scale pieces with streets or street-like features within the development.	 	Short-Term
10-12	Refer to the Public Art Vision Plan for guidance when public art is being proposed in private development.	 	Ongoing
10-13	Evaluate updates to the UDO to minimize visual impact of large retaining walls while maintaining structural integrity.		Short-Term

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#	Action Item	Goal Alignment	Time Frame
Utility Lines (page 70)			
11-1	Create a master plan for the Renaissance Area for burying utility lines with community involvement to identify priority areas for conversion.	 	Short-Term
11-2	Bury overhead utility lines when feasible as capital improvements are made in the right-of-way for all areas of the Town.		Ongoing
11-3	Investigate partnering with private developers to install conduit for fiber and/or burying utility lines in priority conversion areas.	   	Mid-Term
11-4	Explore policy for public-private partnerships for boring and installing conduit when private development is occurring along main roadways.	   	Ongoing
11-5	Coordinate burying conduit with greenway projects.	 	Ongoing
11-6	Create a master plan for burying utility lines to identify priority areas for conversion, particularly in TOD and activity centers.	  	Mid-Term
Historic Preservation (page 71)			
12-1	Work with the Historic Preservation Commission (HPC) and the Planning Department to continue to implement the 2019 Historic Property Handbook and Design Standards and continue to preserve existing and new historic landmarks.		Ongoing
12-2	Continue to enforce the Historic Preservation Ordinance for the Wake Forest Local Historic District and local historic landmarks.		Ongoing
12-3	Promote State and Federal Tax Incentives for qualified rehabilitation projects for properties listed individually or as contributing historic properties in the National Register of Historic Places.		Ongoing
12-4	Assess zoning district standards to ensure development surrounding and within historic districts and locally designated historic landmarks is sensitive to the historic context of the neighborhood.		Short-Term
12-5	Encourage adaptive reuse, restoration, and repurposing of historic structures to preserve Wake Forest's history.	    	Ongoing
12-6	Continue to enforce the Demolition of Historic Structures Ordinance for the protection of all historic properties in Wake Forest.	  	Ongoing
12-7	Investigate the adoption of new local historic districts or character historic overlay districts to preserve Wake Forest's historic character.		Short-Term
Community Facilities (page 72)			
13-1	Expand all Town municipal facilities and services concurrently with new growth.	   	Ongoing
13-2	Annually review the Town's Work Management Plan, Staffing, and Budget to reflect current needs and priorities.		Ongoing
13-3	Work with the Parks, Recreation, and Cultural Resources Department to identify strategies to close gaps in park service areas.		Mid-Term
13-4	Work with Public Works to identify crosswalk ramps that are not ADA compliant and prioritize upgrades and compliance with Public Rights of Way Accessibility Guidelines (PROWAG).		Ongoing
13-5	Promote and incorporate sustainable building practices into community facilities, setting a precedent for private developers to implement.		Mid-Term

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#	Action Item	Goal Alignment	Time Frame
13-6	Update the Wake Forest Parks, Recreation, and Cultural Resources Master Plan.	   	Short-Term
13-7	Work with the Parks, Recreation, and Cultural Resources Department to develop a master plan for the Wake Forest Reservoir.	 	Mid-Term
13-8	Work with the Parks, Recreation, and Cultural Resources Department to develop a master plan for the 80-acre Town-owned property west of Heritage High School in accordance with grant agreements.	 	Mid-Term
13-9	Continue to model police and fire service areas concurrently with new growth.		Ongoing
13-10	Continue to work with Engineering and Public Works to prioritize infrastructure improvements in older neighborhoods.	 	Ongoing
13-11	Create a Facilities Space Planning Master Plan.	 	Short-Term
13-12	Evaluate existing streets and explore UDO updates to address traffic congestion, traffic speed, reduce collisions, and improve safety conditions for all modes of transportation.	 	Short-Term
13-13	Regularly update the Town Pavement Management System program.	 	Ongoing
13-14	Continue to identify congestion management and infrastructure improvement opportunities on state maintained roadways in coordination with NCDOT.	 	Ongoing
Public Transit (page 74)			
14-1	Continue to work with GoRaleigh to consider more frequent service and route network expansions to key locations to improve rider experience and attract more usage of mass transit.		Ongoing
14-2	Evaluate and revise the UDO to require property owners and private developers to set aside land for transit stops at appropriate locations through transit easements.		Short-Term
14-3	Work with GoRaleigh to construct smart bus shelters, or sustainable shelters that incorporate elements like interactive screens with live timetables, smart lighting, solar panels, and bike lock stations.	 	Mid-Term
14-4	Explore incorporating public art into bus shelters.		Mid-Term
14-5	Explore best long term transit options, such as fixed or microtransit.		Short-Term
Capital Boulevard (page 76)			
15-1	Continue to work closely with NCDOT to implement the US 1 Conversion Project and promote commercial growth in accordance with the Land Use Plan.	   	Ongoing
15-2	Continue advocating for improvements along the US 1 corridor to assist in improving the quality of life for Wake Forest residents, businesses, and property owners.	   	Ongoing
Street Connectivity (page 77)			
16-1	Require blocks to be less than 600 linear feet between intersections of local roads in residential areas to improve walkability.		Short-Term
16-2	Establish a minimum connectivity index requirement to minimize dead-ends, cul-de-sacs, and T-intersections.		Short-Term
16-3	Study the appropriateness of traffic circles at four-way intersections to ease congestion and improve safety.		Ongoing

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#	Action Item	Goal Alignment	Time Frame
Sidewalks & Multi-Use Paths (page 78)			
17-1	Update the CTP to include an inventory of sidewalks in addition to multi-use paths and establish project priorities, private-public funding, and time frames for closing gaps in the network.		Short-Term
17-2	Update the CTP to identify priority areas for high visibility crosswalks, bulb outs, refuge islands, rectangular rapid flashing beacons, and other pedestrian improvements.		Short-Term
17-3	Upgrade aging public sidewalks that are in disrepair or install new sidewalks if none exist in coordination with roadway improvements.		Ongoing
17-4	Require sidewalk, multi-use path, or trail connectivity between residential subdivisions and nonresidential development to improve pedestrian and bicycle connectivity.		Ongoing
17-5	Continue to ensure all new residential development provides sidewalks on both sides of the street.		Ongoing
17-6	Encourage multi-use paths to be provided along the main road in developments.		Ongoing
17-7	Ensure multifamily and commercial developments include strong pedestrian networks within and between their sites.		Ongoing
Bikeways, Greenways & Trails (page 79)			
18-1	Identify trail head locations as the greenway and trail network continues to expand.	 	Ongoing
18-2	Explore opportunities along greenways to add amenities and programming with the Parks, Recreation, and Cultural Resources Department or other organizations (i.e. StoryWalks).	 	Ongoing
18-3	Update the UDO to encourage uses attractive to trail users (i.e. restaurant, cafes, and bars) along greenways to incorporate greenway access into the site design.	  	Short-Term
Local Food Systems (page 80)			
19-1	Continue to support the Northern Community Food Security Team and together explore other locations for community food hubs within the Town.		Ongoing
19-2	Conduct a meal gap survey to better assess the immediate and long term needs in the community.		Mid-Term
19-3	Evaluate the economic impact of local food systems in the community to encourage localized marketplaces for food producers.		Long-Term
19-4	Explore updates to the UDO that would promote urban agriculture and repurposing of vacant or underutilized lots for such uses.		Short-Term
Conservation Design (page 81)			
20-1	Update the UDO's subdivision development regulations to encourage conservation design, particularly for areas within watershed protection areas.		Short-Term
20-2	Explore incentives for promoting conservation design, such as density bonuses, to allow for comparable number of housing units but greater preserved green space within the site.		Short-Term

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#	Action Item	Goal Alignment	Time Frame
Green Space Preservation (page 82)			
21-1	Identify and eliminate barriers to higher density redevelopment and infill development within already developed areas to avoid premature development in long term growth areas and reduce greenfield development.		Short-Term
21-2	Establish conservation development standards to incentivize the preservation of significant natural assets within sites, such as streams, steep slopes, unique geological formations, wetlands, and mature stands of trees.		Short-Term
21-3	Continue to identify and strategically acquire environmentally sensitive land to preserve as dedicated conservation areas and publicly accessible open space.		Ongoing
21-4	Explore strategies to further promote green space preservation within the updated UDO and evaluate what is credited as open space.		Short-Term
21-5	Update the UDO to require private development to provide private open space and amenities in proportion with phases being constructed.		Short-Term
Tree Canopy (page 83)			
22-1	Continue to support the Town in administering the Urban Forestry Program and planting, preserving, and maintaining trees on public properties and rights-of-way.		Ongoing
22-2	Identify and implement updates to the UDO that could further promote tree preservation and replacement in new developments.		Short-Term
22-3	Review existing incentives and consider additional incentives for private developers to promote tree preservation above what is required by the UDO.		Short-Term
22-4	Explore ways to increase the number of trees required in parking lots during the update to the UDO.		Short-Term
22-5	Require public and private tree plantings and xeriscaping are made up of native plant species that are adapted to local environmental conditions and require less irrigation.		Short-Term
22-6	Seek legislation that will allow the expansion of current tree preservation standards.		Short-Term
22-7	Ensure the UDO update supports Town's established tree canopy goal.		Short-Term
Sustainable Development (page 84)			
23-1	Incentivize green building, LID, and green infrastructure practices in future developments.		Mid-Term
23-2	Incorporate green infrastructure into public streetscapes and Town-maintained properties that beautify spaces, prioritizing pedestrian-oriented areas like Downtown, TOD, and Neighborhood Commercial areas.		Ongoing
23-3	Continue to incorporate sustainable design best practices into Town-owned infrastructure and community facilities, striving for energy efficient future facilities.		Ongoing
23-4	Use the Environmental Protection Agency's (EPA) "Revising Local Codes to Facilitate Low Impact Development" guide to help identify regulations within the UDO and MSSD that discourage LID practices.		Short-Term
23-5	Support the use of attractive, safe, and sustainable street furniture and infrastructure, such as smart or solar streetlights, and LED traffic lights.	 	Ongoing

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#	Action Item	Goal Alignment	Time Frame
23-6	Require the installation of charging stations, or the infrastructure needed to accommodate future charging stations, in all new parking lots.		Short-Term
23-7	Create an online inventory of buildings available for adaptive reuse.	    	Mid-Term
23-8	Investigate developing a solar energy ordinance and enrolling in the SolSmart program, a national designation program funded by the US Department of Energy charged with making solar power faster, easier, and more affordable.		Long-Term
23-9	Explore ways to incentivize renewable energy and passive solar design in the Town's development standards.		Short-Term
23-10	Evaluate implementing a composting program.		Mid-Term
23-11	Continue exploring and implementing Smart Cities technology to improve quality of life.		Ongoing
23-12	Conduct a stormwater infrastructure assessment.		Mid-Term
23-13	Perform a watershed study for each watershed in Town.		Mid-Term
23-14	Evaluate potential rainwater collection programs.		Mid-Term
23-15	Explore an incentive program to encourage development to provide stormwater when developments are exempt from stormwater requirements.	 	Short-Term
23-16	Update the MSSD to reference green infrastructure design.		Short-Term
23-17	Explore using decommissioned rights-of-way as potential stormwater routes.	 	Mid-Term
Tourism (page 86)			
24-1	Work with the local arts community and organizations to identify strategies to grow the Town's reputation as a regional arts destination with a Downtown focus.	 	Ongoing
24-2	Explore the potential of constructing a recreational destination facility with a regional draw.		Long-Term
24-3	Develop annual Tourism Economic Impact Reports to help quantify progress made in Wake Forest's tourism sector and identify trends, issues, and opportunities that can help Town staff prioritize future investments.		Ongoing
24-4	Support the Wake Forest Area Chamber with creating and marketing a local visitor's center as a public resource hub for the Town's attractions, events, and businesses for visitors.		Mid-Term
24-5	Leverage Wake County's Room Occupancy Tax to build, finance, and create new establishments or run events related to tourism, allowing the Town to capitalize on its success in drawing hotel occupants.		Ongoing
24-6	Create a community-wide wayfinding plan to improve sense of place and signage that directs visitors and residents to Town destinations.	 	Short-Term
24-7	Continue to support Wake Forest Downtown Inc. in meeting the National Accreditation Standards of Performance as outlined by the National Main Street Center.	 	Ongoing

 Support Strategic Growth

 Balance the Mix of Uses

 Maintain the Historic, Small-Town Charm

 Provide Diverse Housing Opportunities

 Support a Pedestrian-/Bicycle-friendly Community

 Establish Safe & Connected Public Transit Options

 Support Unique, Thriving Businesses

 Encourage Growth & Activity in Downtown

 Expand & Maintain Wake Forest's Green Spaces

#	Action Item	Goal Alignment	Time Frame
24-8	Explore the potential of creating an arts district and constructing a performing arts center.	  	Mid-Term
24-9	Investigate developing a heritage tourism program to promote the Town's history and heritage for tourism.	  	Long-Term
24-10	Investigate hiring consultants to provide a comprehensive evaluation of Town events and provide recommendations for improved programs.	  	Mid-Term
24-11	Update the Public Art Vision Plan.	  	Mid-Term

Gateways (page 88)

25-1	Create a Gateway Plan to identify and prioritize sites for gateway features and establish design standards.	 	Mid-Term
25-2	Improve roadway infrastructure (i.e. bridge, street pavement, and intersection enhancements) along key gateway routes to enhance their character and multimodal connectivity.	  	Mid-Term

Downtown Wake Forest (page 89)

26-1	Update the Renaissance Plan.	       	Short-Term
26-2	Evaluate existing zoning regulations around density in appropriate locations to balance Downtown's development potential while preserving its historic character.	       	Short-Term
26-3	Identify strategies to fill vacant buildings Downtown that promote an entrepreneurial and small-business culture.	  	Mid-Term
26-4	Identify strategies to attract families and younger populations to Downtown with inviting public spaces, entertainment, and destinations for all ages.		Ongoing
26-5	Provide guidelines for how buildings should be oriented to support pedestrian-friendly environments.		Mid-Term
26-6	Reassess parking demand and supply with consideration for a new parking garage(s) to minimize surface parking lots.		Mid-Term
26-7	Identify strategies to create an "experience-based" Downtown retail environment with unique local businesses and a pedestrian-oriented environment.	 	Mid-Term
26-8	Reassess strategies to improve gateways and wayfinding to and within Downtown to better direct people and create a distinct sense of place.		Mid-Term
26-9	Identify opportunities for Downtown events and public gathering spaces to bring the community together, such as live outdoor events and festivals.		Ongoing
26-10	Evaluate and add parking minimum requirements within the UDO, particularly in the RA-HC district.		Short-Term
26-11	Balance transit-oriented development with Downtown's historic character if the S-Line station is constructed adjacent to Downtown.		Short-Term

 Support Strategic Growth

 Balance the Mix of Uses

 Maintain the Historic, Small-Town Charm

 Provide Diverse Housing Opportunities

 Support a Pedestrian-/Bicycle-friendly Community

 Establish Safe & Connected Public Transit Options

 Support Unique, Thriving Businesses

 Encourage Growth & Activity in Downtown

 Expand & Maintain Wake Forest's Green Spaces

Appendix

The Appendix of the Community Plan listed the Amendment History of the Plan along with the associated ordinance number and date.

AMENDMENT HISTORY

- 1. Ordinance #2022-24 09/24/2022
- 2. Ordinance #2023-16 05/16/2023
- 3. Ordinance #2023-XX ##/##/2023

Exhibit 2 – Amendments

1. Cover: Modify the updated date to the date of adoption.
2. Page 53: Change the parcels subject to this amendment south of Oak Grove Church Road from Non-Residential Areas to either Existing or Future Conventional Residential, as appropriate.
3. Page 105: Update the ordinance number and date of adoption.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-306-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 3 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-264-

Submitted by: Brandon High

Submitting Department: Public Safety

Meeting Date: November 21, 2023

SUBJECT

Approval of a Resolution to surplus the badge and service weapon carried by Sergeant David Doherty

Recommendation:

Item Summary:

ATTACHMENTS

- [Doherty Summary badge and weapon surplus.docx](#)
- [Doherty Resolution Badge and Weapon.docx](#)

Agenda: Approval of a Resolution to surplus the badge and service weapon carried by Sergeant David Doherty

Summary: Sergeant Doherty retired, effective September 11, 2023. North Carolina General Statute 20-187.2 authorizes governing boards of law enforcement agencies to award a retiring officer the badge worn by him, as well as his service sidearm. Also, pursuant to North Carolina General Statute 160A-266, municipalities are authorized to dispose of personal property.

RESOLUTION 2023-XX

A RESOLUTION OF THE WAKE FOREST TOWN BOARD OF COMMISSIONERS
AUTHORIZING AWARD OF BADGE AND SALE OF SERVICE SIDEARM TO A
RETIRING LAW ENFORCEMENT OFFICER

WHEREAS, the Board of Commissioners of the Town of Wake Forest, North Carolina, has determined that the Town owns certain personal property which has become surplus for the current needs of the Town, to wit: the service sidearm of Sergeant David Doherty, who is a retiring law enforcement officer with the Town; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the Town, upon request, to donate the badge worn by a law enforcement officer to said officer upon retirement; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the Town, upon request, to sell the service sidearm to the retiring law enforcement officer upon securing such a permit required by law or without such permit if the weapon has been rendered incapable of being fired;

NOW, THEREFORE, BE IT RESOLVED by the Town of Wake Forest Board of Commissioners as follows:

To honor the service of Sergeant David Doherty as a law enforcement officer, the Town Board of Wake Forest authorizes the donation of the badge worn by said officer, and further authorizes the sale of the following service side arm which has been declared surplus to said officer for the price of \$1.00, with the payment of said purchase price to be waived in consideration of this officer's loyal service to the citizens of Wake Forest.

Make: Glock

Model: 32

Caliber: .357

Serial #: WVA666

AND BE IT FURTHER RESOLVED that property described in this resolution is surplus as of November 21, 2023.

Adopted this the 21st day of November 2023.

ATTEST:

Vivian A. Jones, Mayor

Theresa Savary, Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-277-

Submitted by: Ella Dowtin

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Approval of Appointment to Citizen Advisory Boards

Recommendation:

Item Summary:

ATTACHMENTS

- [RESOLUTION2023-XXX_Adv_Board_Appts-HRC.pdf](#)
- [RESOLUTION2023-XXX_Adv_Board_Appts-PAC.pdf](#)
- [RESOLUTION2023-XXX_Adv_Board_Appts-PRCR.pdf](#)
- [RESOLUTION2023-XXX_Adv_Board_Appts-TAB.pdf](#)
- [RESOLUTION2023-XXX_Adv_Board_Appts-UFB.pdf](#)

RESOLUTION 2023 - XXX
ADVISORY BOARD/COUNCIL APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Human Relations Council

Karlie Crenshaw

(January 2024 – December 2026)

Kimberley Cowie

(January 2024 – December 2026)

Madison Mangels

(January 2024 – December 2026)

Ava Fulmer–Youth Member

(January 2024 – December 2025)

Samantha Schlossberg – Youth Member

(January 2024 – December 2025)

Duly resolved this 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk

RESOLUTION 2023 - XXX
ADVISORY BOARD/COUNCIL APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Public Art Commission

Deanna Kabler

(January 2024 – December 2026)

Lisabeth McGinnis

(January 2024 – December 2026)

Nicki Black

(January 2024 – December 2026)

Duly resolved this 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk

RESOLUTION 2023 - XXX
ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Parks, Recreation & Cultural Resources

Monica Molina

(January 2024 – December 2026)

Luke Kemp

(January 2024 – December 2026)

James Lalik

(January 2024– December 2026)

Virginia Kozar – Youth Member

(January 2024– December 2026)

Duly resolved this 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk

RESOLUTION 2023 - XXX
ADVISORY BOARD/COUNCIL APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Technology Advisory Board

Zee Khan

(January 2024 – December 2026)

Mike Infinger

(January 2024 – December 2026)

Keane Coleman

(January 2024 – December 2026)

Philip Carter

(November 2023 – December 2024)

Gordon Blackwell

(November 2023 – December 2024)

Ashton Weaver – Youth Member

(November 2023 – December 2025)

Duly resolved this 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk

RESOLUTION 2023 - XXX
ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Urban Forestry Board

Alana Brown

(January 2024 – December 2026)

Marcus Blackwater – Youth Member

(January 2024 – December 2025)

Meghan Riordan – Youth Member

(January 2024 – December 2025)

Catherine Kennedy – Youth Member

(January 2024 – December 2025)

Duly resolved this 21st day of November 2023.

ATTEST:

Vivian A. Jones
Mayor

Theresa Savary
Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-297-

Submitted by: Allison Snyder

Submitting Department: Engineering

Meeting Date: November 21, 2023

SUBJECT

Approval of Smith Creek Reservoir Design

Recommendation:

Approval of design contract in the amount of \$339,960 to utilize WSP USA Inc. connected to On-Call Engineering Services for the Town of Wake Forest approved Jan. 2023.

Item Summary:

ATTACHMENTS

- [Smith Creek Reservoir Design Summary.docx](#)
- [Attachment_A_2023-xx_Resolution.docx](#)
- [Attachment B_SmithCreekReservoir_Scope_WSP_Final Design.pdf](#)

ITEM TITLE: Approval of Smith Creek Reservoir Design

ITEM SUMMARY: Approval of design contract in the amount of \$339,960 to utilize WSP USA Inc. In January 2023, the Board approved WSP as a consultant connected to the Town's On-Call Engineering Services. This contract details the scope for the final design for Smith Creek Reservoir. Funding is provided through award Community Project Funds, the General Fund and 2022 Bond Referendum.

ATTACHMENTS:

Attachment_A_2023-xx_Resolution

Attachment B_SmithCreekReservoir_Scope_WSP_Final Design

SPECIFIC ACTION REQUESTED: Recommend approval

RESOLUTION 2023-XX

RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE ON
BEHALF OF THE TOWN OF WAKE FOREST, THE PROFESSIONAL
SERVICES CONTRACT FOR ON-CALL ENGINEERING SERVICES FOR
SMITH CREEK RESERVOIR DESIGN

WHEREAS, WSP Inc. was awarded as an on-call engineering services consultant in January 2023

WHEREAS, on-call agreements are an effective way to retain professional engineering consultants to ensure that the Town's projects are designed and constructed in a timely and cost-effective manner that meets Town's standards; and

WHEREAS, in October 2023 the Town and our on-call consultant WSP, Inc. agreed to a scope of services to include permitting, final design and bid assistance related to the Smith Creek Reservoir; and

WHEREAS, the Smith Creek Reservoir has been awarded Community Project Funding; and

BE IT RESOLVED by the governing body of the Town of Wake Forest hereby authorizes the Town Manager to execute Professional Services for Smith Creek Reservoir Dam Improvement Project Engineering services in the amount of \$339,960.

Duly adopted this 21st day of October 2023.

Motion by: _____

Second by: _____

Vivan Jones
Mayor

ATTEST:

Theresa Savary

Town Clerk



September 15, 2023

Monica Sarna, PE
Assistant Engineering Director
301 S. Brooks Street, Wake Forest, NC 27587
Wake Forest, NC 27587

SUBJECT: PROPOSAL FOR PROFESSIONAL SERVICES FOR SMITH CREEK RESERVOIR DAM IMPROVEMENT PROJECT

WSP USA Inc., hereafter referred to as “WSP” or “the Engineer”, appreciates the opportunity to provide our Professional Services to the Town of Wake Forest (hereafter the “Town”) in support of the aforementioned project.

OVERVIEW

The Town has requested that WSP provide a proposed solution for repair and improvement of an existing, medium-sized, high hazard (Class C), earthen embankment dam along Smith Creek, which creates the Wake Forest Reservoir. The reservoir was previously used as a water source, prior to the Town’s agreement with the City of Raleigh for potable water distribution. The North Carolina State Dam Inventory identifies the Dam as follows:

- ID: NC00995
- Alt ID: WAKE-176
- Name: Wake Forest Water Supply Dam
- Alt Name: Smith Creek Reservoir

The Town has performed periodic assessment, maintenance, and analysis of the dam. The most recent comprehensive assessment being completed by Freese and Nichols in 2017. The final report from that assessment concluded that the existing embankment and spillway are currently able to pass 30 percent of the probable maximum precipitation (PMP). This is below the minimum threshold set in North Carolina of 50 percent of the PMP. The report includes two possible alternatives which will provide a foundation for the assessment and final design efforts included in this scope of work. Those two possible alternatives are listed below:

1. Raise the dam by approximately 5 feet
2. Raise the dam by approximately 2 feet and add a 75-100 foot emergency spillway on the right abutment of the dam

Freese and Nichols recommended the second alternative based on aesthetics, plans for adjacent development, and balancing cut and fill.

In February of 2023, WSP received notice to proceed with professional services relating to further evaluation of the embankment and selection of a final alternative for design, permitting, and construction. To date, WSP has received two separate purchase orders from the Town as noted below:

- PO# 2023-00000447: for surveying and existing conditions investigation
- PO# 2023-00000574: for preliminary design and evaluation of alternatives

WSP USA
Suite 1500
434 Fayetteville Street
Raleigh, NC 27601

Tel.: +1 919 836-4040
Fax: +1 919 836-4099
wsp.com



The alternatives developed to date were selected to satisfy the criteria set forth in chapter 15A (subchapter 02K) of North Carolina Administrative Code (NCAC). These include, but are not limited to:

- Hydrologic analysis for present and future land use conditions
- Spillway design for 1/2 PMP
- Flow net analysis to determine the location of the phreatic surface and other significant features
- Factor of safety of at least 1.25 for slope stability in quick drawdown conditions
- Factor of safety of at least 1.5 for slope stability in normal conditions

WSP submitted an existing conditions and alternative analysis report to the Town on July 7th, 2023. WSP then met with the Town on July 18th and August 9th to discuss the various alternatives presented, and to eventually select what was presented as “Concept A”.

The existing conditions, including the approximate project limits are presented in Exhibit A below. A general overview of the selected Concept A is presented in Exhibit B.



Exhibit A: Approximate Project Limits



Exhibit B: Concept A Preliminary Layout

The scope of services included herein has been developed to assist the Town with permitting, final design, and bid for the selected concept. WSP does not anticipate updating the dam breach analysis or emergency action plan as part of this current scope of services. Additionally, WSP assumes that a fourth scope of work will eventually be developed for construction oversight, inspection, and material testing (Tasks 9 – 11 below).

SCOPE OF SERVICES: PERMITTING, FINAL DESIGN, AND BID ASSISTANCE

TASK 1.- PROJECT ADMINISTRATION

1.1 PROJECT MANAGEMENT SERVICES

This task covers routine review of hours expended and communication with the client to verify that the project remains on schedule and within budget, coordination with various design disciplines and stakeholders, quality assurance and general management of the project team.

WSP understands that the project funding is being administered through the FEMA BRIC program and this scope and all invoicing will need to align with the agreed-upon scope passed through the FEMA program. WSP assumes that quarterly reporting to FEMA will be required in addition to monthly invoices for the Town. WSP can assist with that reporting, providing more detailed progress reporting language, but assumes the Town will take the lead in development and submission of those reports.

A draft project schedule has been included within this scope of professional services. That scope of services will be revised after receipt of NTP to include additional details and specific deliverables listed for each of the tasks below. The schedule, invoices, and other project documents can be submitted through the e-builder system if requested. No expenses have been included relating to E-Builder licensing.

1.2 MONTHLY STATUS REPORTS

WSP shall prepare monthly status reports and deliver the reports to the Town's project manager with the monthly invoice in PDF format. The status report shall summarize work/milestones completed, percent of work complete to date (as compared to the Engineer's current estimate of total work required), the work scheduled to be completed for the upcoming month, and identify any outstanding issues or decisions that must be resolved by WSP or the Town.



1.3 PROJECT MEETINGS

Given the expedited schedule associated with this project, and the degree of coordination required, WSP will attend bi-weekly project meetings with the Town, as well as at specific project milestones. The meeting schedule can be adjusted as needed due to stakeholder input or project constraints.

TASK 2.– EXISTING CONDITION INVESTIGATION AND REPORT

2.1 SPILLWAY AND INTAKE STRUCTURAL INSPECTION

WSP's structures inspection team will perform a detailed assessment of the existing spillway. The inspection will provide an in-depth overview of the existing structure and will inform the design of the replacement spillway structure, and any restrictions or limitations that need to be applied during construction. Two staff from WSP will provide a hands-on visual inspection and produce an inspection report for delivery to the Town. WSP will provide at least one SPRAT certified inspector, in the even that rope access is required.

In addition to assessment of the existing spillway, WSP staff will work with In-Water Services Company Inc. to inspect the intake structure and access bridge to provide an understanding of its current condition, potential need for future maintenance and repair. Task 2.2 below highlights the scope of services which will be provided by In-Water Services Company Inc. WSP will be on-site at the same time to supplement their assessment, while maximizing the opportunity for inspection after the lake level is lowered and the intake tower is emptied.

In addition to the spillway and intake structure/access, the upstream concrete apron may be assessed if the level of the lake is reduced to allow Inspections via dry ground. Inspection for all of the elements will focus on the condition of the structural and non-structural concrete, any exposed rebar, visual signs of cracking or spalling, deflection of any structural members, and foundation undermining.

2.2 UNDERWATER STRUCTURAL AND VALVE INSPECTION

WSP intends to enlist the services of In-Water Services Company Inc. (IWS) to provide another inspection of the underwater components of the reservoir embankment, including the external structure and valves incorporated in the intake tower and the submerged portion of the concrete apron. WSP understands that In-Water Services Company has performed inspections of the intake structure in 2009 and again in 2015. In 2015, they recommended an urgent replacement of sluice gate B and reconditioning of gate C. Based on conversations with IWS, full repairs were not made to the intake structure and sluice gate B was physically sealed to prevent leakage of water into the structure.

IWS will perform a physical inspection of the dam's lake drain from the intake structure to the downstream outlet and will provide recommendations on repairs and/or improvements needed to convert the existing piping, valving, and outlet structure into a lake drain that is functional for the intended purpose of this project. The intention is for IWS to inspect and provide repairs in order for the Town to access the lake drain pipe underneath the dam for video inspection.

Note Regarding Condition and Operation of Valves and Lowering of the Lake:

WSP has contacted Mike Brian from In-Water Services who has knowledge of previous intake tower inspections (2009 and 2015). Mike's recollection of the prior inspections and the attempted valve operation raised concerns regarding the condition of those valves and the future operation thereof. He mentioned that certain gates were jacked shut. He also indicated that the condition of the valves is worrisome and operation of those valves and drawdown of the lake may not be a simple task.

An inspection report summarizing findings by Intercoastal Marine, LLC from 2017 verified that at least one gate was open at the time of inspection. The body of the report by Freese and Nichols states that two valves are open. These are listed as gates 1 and 5, which appear to correspond to the lowest gate in the upstream side, as well as the gate on the embankment side of the intake structure. However, the "gate B" that was reportedly forced shut in 2015, appears to be the same as the "gate 1" which was reported to be open in 2017. The 2017 inspection highlighted only minimal concerns with the condition of hardware and structural concrete, stating that in many cases metal is coated with ¼" of rust, but "hardware is good". This does not necessarily align with the earlier reports, but warrants further consideration. It is difficult to determine how much, if any, repair work



has been completed prior to the Town's acceptance of the dam from the City of Raleigh. The 2017 inspection also lists valve depth measurements which do not align with as-built drawings from 1991.

Based on this information, particular attention is warranted regarding the risks associated with valve operation and lowering of the lake. If during operation of those valves, something breaks, or can not be reversed, there is a danger of lowering the lake too far (if not completely) resulting in fish kills, downstream impacts, and other concerning circumstances. At this time, WSP recommends an inspection and repair work be completed upstream before any attempt to inspect the lake drain pipe is made. It is impossible to determine the cost or magnitude of that repair work at this time, but WSP will coordinate closely with the Town before making any recommendations regarding valve operation, and/or sequence of inspections. It may be beneficial to identify a contractor to perform repairs and have them available onsite for emergency work in the event that something goes wrong during valve operation.

2.3 GEOTECHNICAL ANALYSIS (PERFORMED BY FALCON ENGINEERING)

Site Access and Spillway Access

We will notify WSP of our schedule prior to mobilizing to the Site. Much of the site is readily accessible with a typical ATV drill rig.

Six (6) borings have been requested within the existing spillway. We propose accessing the spillway using a combination of aluminum ramps rated for our equipment and/or wooden cribbing. We will need to cut the existing chain link fence at the nearest section termination and roll up the mesh along the fence line. We will secure it using plastic or metal ties. We also may need to remove one fence post to access the spillway. If the post is embedded in soil, we will remove it by hand or winch. If the post is encased in concrete, we will cut it off near the ground surface.

Our ramps are equipped with simple hooks. To hook the ramps in place, we will secure a steel, L-shaped member to the top of the concrete wall using concrete screw anchors in pre-drilled holes and hang the ramps. We will use wooden cribbing beneath the ramps as a secondary measure to support the rig. We will remove the anchors, steel member, and cribbing before demobilizing from the Site.

Efforts and materials needed to restore the fence, fencing material, and concrete wall to their original conditions are not included in this scope of work.

Field Investigation

Based on our meeting on August 24, 2023, and the scoping exhibit provided, we will mobilize a drill rig to the site to advance up to six (6) SPT borings within the existing spillway and three (3) SPT borings along the toe of the proposed embankment. Falcon field personnel will be on site during drilling operations to manage the drill crew, log boreholes, and communicate findings with Falcon's Project Manager.

Spillway borings will be terminated after advancing to a depth of 30.0 feet below the existing ground surface, advancing through 10 feet of PWR ($N > 100$), or coring up to 10 feet of rock, whichever occurs first. Rock coring will only be performed at three of the six boring locations. We will perform continuous sampling in each boring while in soil materials. We will transition to a typical sampling interval (e.g., 5 feet) after reaching a depth of 10 feet or encountering PWR. An allowance of 20 feet of rock coring is included in this estimate.

Toe borings will be terminated after advancing to a depth of 30.0 feet below the existing ground surface, advancing through 5 feet of PWR ($N > 100$), or encountering auger refusal, whichever occurs first. Rock coring to reach the target depth for toe borings is not included in this estimate. We will transition to a typical sampling interval (e.g., 5 feet) after reaching a depth of 10 feet or encountering PWR. If soft, fine-grained soils are encountered between 3 and 10 feet below grade, we will perform an offset auger probe boring and push up to two (2) relatively undisturbed "Shelby" tube sample of the soft soils.

Following completion of drilling, initial groundwater measurements and borehole cave-in will be taken. Borings will be grouted with a cement slurry. Spillway borings will be grouted flush with the spillway slab. Toe borings will be grouted to within 12 inches of the existing ground surface and then covered with native soil. We will return to the Site after 24 hours to observe the condition of the grouted boreholes. If grout levels in the boreholes have subsided, we will fill toe borings with bentonite chips and we will fill spillway borings with fast-



setting concrete. No additional site restoration efforts aside from grouting and patching boreholes are included in this cost estimate.

Field Testing

We propose one (1) field evaluation of grout-to-ground bond strength if rock is present within 5 feet of the surface of the spillway. Our test methodology will consist of a modified version of ASTM D1143 consisting of the following:

- Identify the test section from the boring logs.
- Temporarily case the borehole down to the test section using a PVC pipe to serve as a bond breaker.
- Set a threaded steel bar into the borehole prior to grouting and use centralizers to maintain its position.
- Grout the borehole within the test section.
- Cast one (1) set of 4-inch by 8-inch concrete cylinders with the grout used for compressive strength testing.

Our pull-test procedure will generally consist of the following:

- Use wooden cribbing to distribute the reaction force from the jack over a larger section of concrete.
- Set a calibrated, through-hole jack over the threaded bar and use a steel plate and nut to secure the jack to the bar.
- Measure the deflection of the plate using dial gauges.
- Using the jack, increase the load in the bar to predetermined steps until geotechnical failure.
- Document the test setup and record the displacement at the different loads.
- Plot load vs displacement for determination of ultimate grout-to-ground bond strength.

Laboratory Testing

Soil samples obtained during drilling will be collected in moisture retarding containers and transported to our laboratory where they will be visually-manually classified by Geotechnical personnel in general accordance with Unified Soil Classification System (USCS). A select number of samples will be assigned for further testing.

Our laboratory testing program for split-spoon samples will consist of the following tests: Natural Moisture Content (Qty. 12), Mechanical Sieve Analysis (Qty. 6), and Atterberg Limits (Qty. 6).

Our laboratory testing program for tube samples includes an allowance for the following tests: Natural Moisture Content (Qty. 2), Mechanical Sieve Analysis with Hydrometer (Qty. 2), Atterberg Limits (Qty. 2), and CU triaxial shear (Qty. 2).

Our laboratory testing program for rock samples includes an allowance for the following tests: Unconfined Compressive Strength of Rock (Qty. 4).

Tested samples will be retained in our office for a period of seven (7) days and untested samples will be retained in our office for a period of thirty (30) days unless otherwise requested.

Assumptions

- The Site is accessible during normal business hours 7am to 7pm.
- Property owner notification and coordination will be performed by others.
- Private utility location is not included in this scope of work.

Exclusions

- Repairing the existing fence and restoring the anchor holes drilled along the spillway wall.



2.4 ENVIRONMENTAL REVIEW AND HAZARDOUS BUILDING MATERIALS SURVEY

WSP understands that the Town of Wake Forest would like an assessment of the water treatment buildings and structures located south of the dam to determine the extent of potential hazardous materials present and guidance on applicable standards that need to be employed during demolition and disposal of Site structures.

The purpose of an Environmental Review is to evaluate the presence or potential presence of environmental concerns on the Site as a result of present or past activities on the Site or in the vicinity of the Site. The Environmental Review will be conducted in general accordance with the USEPA AAI Rule and ASTM International, Inc. (ASTM) E1527-13/21.

The purpose of the Hazardous Building Materials Survey is to identify the presence, location, and quantity of potential asbestos-containing materials (ACM) and/or presumed ACM (PACM), lead-containing paint (LCP), and other regulated materials (mercury and polychlorinated biphenyls [PCBs]) within the Site building. Current federal, state, and local regulations require that this information must be communicated to contractors bidding on work, contractors performing other work, and employees and tenants in or adjacent to the Site. Additionally, the North Carolina Asbestos Hazard Management Program Rules 10A NCAC 41C SECTION .0600, requires that an asbestos survey be conducted prior to a renovation or demolition of existing buildings.

A. ENVIRONMENTAL REVIEW

A review of historical documentation will be performed for the Site and surrounding areas to evaluate for potential for environmental concerns. The review may include aerial photographs, tax assessment records, historical maps, city directories, available building/water permits, and previous environmental reports prepared for the Subject Property. WSP intends to review property uses back to 1940, or to first developed use of the Site as is reasonably ascertainable. As part of this review, WSP will be requesting that the Town of Wake Forest provide any commonly held information or knowledge about the Site with regard to the history of the Site and surrounding properties.

Interviews

WSP will attempt to interview individuals who are likely to have material information regarding the potential for contamination at the Site. WSP will also request that the User provide contact information for key Site managers and other individuals, as available, including past and present owners and operators who are likely to have material information regarding the potential for environmental concerns at the Site.

Reconnaissance of the Subject Property and vicinity surrounding the Site

WSP will perform a physical reconnaissance of the Site; observations of the Site for petroleum and hazardous materials present, unusual soil or surface colorations, physical irregularities, noticeable refuse piles, and evidence of aboveground and underground fuel storage tanks; and an evaluation of current land use on the Site and in the immediate vicinity of the Site.

Review of Federal, State, Tribal, and Local Environmental Records

WSP will conduct a review of files and published lists from selected local, state, and federal environmental regulatory agencies for records, lists, or other readily available sources of information. This review will be conducted to determine if the Site or nearby properties are listed as having a known environmental issue, are under investigation, or are regulated by state or federal environmental regulatory agencies. In conducting this review, WSP will request a report from Environmental Data Resources, Inc., an independent data research company that provides specialized information on environmental records for individual properties. WSP will also review regulatory files for the Site and adjacent properties if listed as regulated facilities and if the records are expected to provide valuable information with regard to the environmental status of the Site.

User Provided Information

In order to complete the Environmental Review in general accordance with the USEPA's AAI Rule and ASTM Standard E1527-13-21, the "User" of the report will be requested to provide the following information to WSP for the Site:

- Identification of environmental liens or activity and use limitations associated with the Site



- Consideration of specialized knowledge that the Town of Wake Forest may have regarding the Site or operations at the Site must be considered. This would include inherent information that the User might have because of similar facilities it owns or operations or because of the type of work performed at the Site.
- Commonly known information about the Site must be considered by both the User and WSP. Commonly known information could be identified through interviews, website information, newspaper articles, and other information commonly and publicly known about the Site.

Environmental Review Report

An Environmental Review report will be prepared for the Site. The report will include vicinity and site-specific maps, discussion, findings, opinion, a photolog and conclusions. The report also will include a statement on the qualifications of the individuals at WSP who performed the Environmental Review as Environmental Professionals.

B. HAZARDOUS BUILDING MATERIALS SURVEY

WSP proposes to conduct a hazardous building materials survey of the Site building. The survey, will include inspection for potential ACM, LCP containing painted surfaces, PCBs, and mercury containing building materials.

The following is a break-down of the tasks that will be completed:

- WSP will collect bulk samples for the purposes of characterizing suspect ACMs within the Site building. Asbestos bulk sample collection, and sample preparation will be conducted by an Asbestos Hazard Emergency Response Act (AHERA) Certified Building Inspector who is licensed in the state of North Carolina, in accordance with federal, state, and local regulatory requirements. The WSP sampling protocol for asbestos is modelled after EPA regulation 40 CFR 763.86 and North Carolina Asbestos Hazard Management Program Rules 10A NCAC 41C SECTION .0600. Samples will be collected as non-destructively as possible, although if minimal damage occurs the damaged areas will not be repaired. The sampling techniques will not include destructive efforts to reveal hidden or concealed conditions or materials typically found in column enclosures, fully enclosed ceiling cavities and behind walls. We propose to perform the asbestos survey following Asbestos Hazard Emergency Response Act (AHERA) sampling protocol. The bulk asbestos samples will be submitted to Eurofins CEI in Cary, North Carolina for analysis. Eurofins CEI participates in the National Volunteer Laboratory Accreditation Program (NVLAP). The asbestos samples will be analyzed by US Environmental Protection Agency (EPA) method 600, using polarized light microscopy (PLM) with dispersion staining. WSP will review any previous asbestos surveys provided by the property owner and will take confirmation samples of any potential non-ACM building materials described in the previous surveys. Samples will not be collected of ACM identified in previous surveys. WSP anticipates collecting approximately **100** samples.
- In addition to asbestos, WSP will collect a limited number of LCP samples. The purpose of the limited LCP sampling is to determine the presence of lead in paint coatings on building components that may be impacted during demolition or renovation. WSP will collect bulk paint chip samples on potentially impacted building components throughout the Site building. The bulk paint chip samples will be submitted to Eurofins CEI and will be analyzed by flame atomic absorption by EPA method 7000B. Eurofins CEI participates in the American Industrial Hygiene Association (AIHA) for quality control procedures. WSP anticipates collecting approximately **10** paint chip samples.
- In addition to asbestos and lead paint, WSP will collect information regarding PCBs, and mercury-containing light tubes, switches, and thermostats that may be in the Site building. These materials will be specifically addressed as follows:
 - PCB-Containing Materials - The identification of potentially PCB-containing materials will be limited to visual confirmation of common electrical devices (e.g., fluorescent lighting ballasts, circuit breakers, and transformers). For the purposes of this proposal, WSP will assume that all the electrical devices identified are PCB-containing, unless labelled otherwise, and the quantity of these devices will be provided in the final report.



- Mercury-Containing Materials - The identification of potentially mercury-containing materials will be limited to visual confirmation of common items such as fluorescent light tubes and thermostat switches. For the purposes of this proposal, WSP will assume that all the devices identified are mercury-containing and the quantity of these devices will be provided in the final report.
- WSP will prepare a Hazardous Building Material Survey Report. The report will include a summary of regulated materials identified, site descriptions, table of results, laboratory analytical reports, selected photographs, and sample location figures. WSP will provide one electronic copy of the survey report.

LIMITATIONS

Environmental Review

Our Environmental Review scope of work does not include the following: ACM; radon; lead-based paint; lead in drinking water; wetlands; regulatory compliance; cultural and historical resources; industrial hygiene; health and safety; ecological resources; endangered species; air quality; high-voltage power lines; mold; purchase price versus fair market value evaluations; and third-party lender requirements. These services can be provided, if requested, under separate cover.

Our report will be based on data and information collected during the Environmental Review on the date of the site inspection, supplemented by a review of historical information and data obtained by WSP as described in the reports. WSP cannot accept responsibility for any deficiency, misstatement or inaccuracy contained in this report as a result of omissions, misinterpretations or fraudulent acts of persons interviewed or contacted.

Limited Hazardous Building Materials Survey

The purpose of the regulated materials survey is to reasonably test for evidence of asbestos or other regulated materials in suspect or randomly selected materials at a facility. It should be noted that no survey can be comprehensive or exhaustive enough to eliminate the possibility that regulated materials present at the Site may not be detected during the survey. Therefore, the completion of any survey for regulated materials should not be considered a warrantee or guarantee that these materials do not exist, even if they are not detected through a survey.

ASSUMPTIONS

- Destructive bulk sampling will be conducted as part of the hazardous building material survey, unless otherwise directed. This may include large holes in walls and flooring, removal of wiring and insulation, and no patching or cleanup of the sampling areas.
- The Site is not unsafe and all areas of the building can be safely accessed by reasonable means of access.
- Work will be conducted during regular work hours of 0800 to 1700, Monday through Friday, unless otherwise arranged.
- WSP does not require collecting more than 100 bulk asbestos samples or more than 10 lead based paint samples.
- WSP anticipates two days of sampling at the Site with one person and the Subject Property reconnaissance will be completed within one visit at the Subject Property.
- Database reports will consist of standard information sources (radius report, historic aerial photographs, fire insurance maps, topographical maps, and city directories) and will not include chain-of-title, or environmental liens and activity use limitation reports, unless specifically requested by the Client.
- Client will provide contact information for individuals knowledgeable with the Subject Property that may be interviewed by WSP.
- Client will complete the enclosed User Provided Information Questionnaire and return it to WSP with the NTP.



- The Environmental Review report will be submitted electronically. Only one Draft and one Final report will be provided. Additional iterations will be invoiced on a time and materials basis at our standard billing rates.

ENVIRONMENTAL REVIEW REPORT RELIANCE

The report will be prepared on behalf of and for the exclusive use of the Town of Wake Forest. Only our Client may rely on the contents of the report. Other parties desiring to rely on the report may do so only by written permission of our Client, WSP's agreement to grant such reliance, and upon the proposed relying party's written acceptance of our Terms and Conditions through WSP's standard reliance letter and additional applicable fee.

2.5 PARCEL RESEARCH AND EASEMENT PLATTING

This task will include providing one (1) permanent easements plats for a single parcel for Wake County PIN #1850187077 owned by LakeStar Development LLC. The plat will be delivered as either a 24" X 36", or 8.5" X 14" map (PDF) and sealed by a North Carolina Professional Land Surveyor (PLS).

WSP will conduct property research information to complete a partial boundary survey on any existing property corners for the parcel within the proposed easements. If property corners can not be found, WSP will not establish the corner.

This project will be surveyed per the standard CADD Mapping standards.

ASSUMPTIONS

- No recorded boundary survey or plat shall be performed or delivered
- Additional Topographic, Stream, and Planimetric features will not be surveyed
- No property/right of way, or easement investigations or submittals will be performed as part of this task

2.6 SUBSURFACE UTILITY ENGINEERING

WSP will perform a SUE Quality Level B (QLB) utility investigation within the limits as depicted in the file as provided. The site is approximately 3.2 acres +/- . Non-gravity utilities such as water, gas, power, and communication will be mapped. We will attempt to map gravity utilities as well if not already completed. The utilities discovered will be mapped in a stand-alone SUE file depicting the utilities discovered.

2.7 VIDEO INSPECTION OF THE DRAWDOWN PIPE

Pending the results and repair work associated with task 2.2 has been completed, an inspection of the existing pipe through the embankment is critical to understand if it can be retained or rehabilitated. If not, the inspection is still important to inform the method of abandonment (grouting). WSP assumes the Town will perform this inspection once it is safe to do so. To facilitate entry of the CCTV equipment into the pipe, entry may need to be provided from the intake structure, or by some method of bypassing the most downstream valve. Either access method requires rehabilitation of the upstream valves at the intake tower to ensure the pipe can be emptied safely. WSP has included effort in this scope of services for discussion of methodology, approach, and design information necessary to gain access; however, given the uncertainty with potential access, additional scope and effort may need to be added at a later time. WSP assumes Wake Forest will perform or contract the actual inspection separately and has not included costs associated with the inspection and equipment operation.

DELIVERABLES FOR TASK 2

Task 2.1 – Spillway and intake structural inspection

- Inspection report containing a summary of observations and recommendations relating to the condition of the existing spillway, intake tower access bridge, and concrete apron.



Task 2.2 – Underwater structural and valve inspection

- Inspection report containing a summary of observations and recommendations relating to the condition of the submerged portion of the intake tower (both inside and outside) and associated valves, the concrete apron, and spillway inlet.

Task 2.3 – Geotechnical Analysis

- Upon completion of the field investigation and laboratory testing, Falcon will prepare a Subsurface Report of Geotechnical Investigation for the project, including but not limited to the following information:
 - Descriptions of the Project, Site, and Site Geology.
 - Descriptions of field and laboratory testing methods and their results.
 - Discussion of subsurface conditions encountered including soil, rock, and groundwater.
 - Discussion of noted areas of geotechnical interest.
 - Boring/Test Location Plan
 - Subsurface Profiles depicting subsurface conditions

Task 2.4 – Environmental Review and Hazardous Building Materials Survey

- Environmental Review report
- Hazardous Building Material Survey Report

Task 2.5 – Parcel Research and Easement Platting

- One 24" X 36", or 8.5" X 14" map (PDF) sealed by a NC PLS

Task 2.6 – Subsurface Utility Engineering

A digital base file (in .dwg format) delineating observed utilities throughout the survey area footprint, as well as a copy of any as-built or record drawing information uncovered during the records research process.

Task 2.7 – Video inspection of the drawdown pipe

The only deliverables anticipated by WSP for this task include verbal/written communication regarding the timing of inspection and method of access. Additionally, WSP will provide a brief memorandum in pdf or email format summarizing an assessment of the provided video, and highlighting considerations based on the condition of the pipe.

TASK 3. – CONCEPTUAL ANALYSIS (COMPLETE)

No additional work is anticipated for this task within this scope of services. The effort associated with conceptual analysis has been completed under PO# 2023-00000574.

TASK 4. – NEPA COORDINATION AND PERMITTING

As noted in the previous scope of services (dated March 15th, 2023) and associated with PO# 2023-00000574, data collection relating to environmental permitting is underway. At the time of the writing of this scope, delineation of wetlands and streams as well as a preliminary protected species assessment has been completed. Additionally, a desktop review of available information relating to the National Environmental Policy Act (NEPA) has commenced. WSP is also in the midst of developing a scoping package for distribution to relevant agencies. However, WSP assumes that package will not be submitted until funding has been released to the Town from FEMA and they have confirmed their position as lead agency.

4.1 NEPA – (FEMA AS LEAD AGENCY)

The project received funding through the Community Project Funding through Committee on Appropriations in 2021, therefore, the project will be required to complete environmental documentation that complies with the



National Environmental Policy Act (NEPA) and all other applicable federal laws and regulations. The scope assumes that the Federal Emergency Management Agency (FEMA) would act as the lead federal agency, and the project would qualify as a Categorical Exclusion (CatEx), as described in FEMA's Instruction Manual 023-01-001-01, Implementation of the National Environmental Policy Act (2014). The project appears to qualify as a CatEx under criterion E2 in Table 1 of Appendix A of the aforementioned Instruction Manual. CatEx E2 would require the preparation of a Record of Environmental Consideration (REC), which is a FEMA document prepared for actions that have a higher possibility of involving extraordinary circumstances. An REC is prepared in order to document that potential impacts to the human environment have been appropriately considered and the determination that the proposed action is appropriately categorically excluded.

The following activities are based upon the selected Alternative A design and the existing information found in the Wake Forest Water Supply Dam- Existing Condition Assessment & Concept Plan (2023).

Historic Architecture

Based on NC HPOWeb data, the nearest historic structure is a Surveyed Only house approximately 0.14-mile from the project site. The scope assumes that North Carolina Historic Preservation Office (NC HPO) and FEMA will agree that the project will not have a potentially significant effect on a district, highway, structure or object that is listed or eligible for listing on the National Register of Historic Places, and historic architecture survey work, eligibility, or assessment of effects will not be required for the project under Section 106 of the National Historic Preservation Act. The scope includes submittal of one letter to NC HPO and assumes that NC HPO will concur with the project's recommendation.

Archaeological Resources

Based on project data, the dam was constructed in 1960. Since there has been previous ground disturbance and development that has occurred, the scope assumes that the likelihood of discovering intact artifacts or cultural materials is low. Therefore, below-ground archaeology survey, including ground penetrating radar (GPR) is not included in the current scope. The scope includes submittal of one letter to North Carolina Office of State Archaeology (OSA) and one letter to federally recognized tribe(s), and assumes that NC OSA and the tribe(s) will concur with the project's recommendation.

Tribal Coordination

The scope includes submittal of one letter to the federally recognized tribe(s) in Wake County (assumed to only be Catawba Indian Nation) describing the project and recommendation for no archaeological survey work. Scope assumes the tribe(s) will concur with the project's recommendation. No additional tribal coordination is included in the scope.

Threatened and Endangered Species

In accordance with Section 7 of the Endangered Species Act, the project will review the potential for impacts to federally listed threatened and endangered species in the study area. The following federal threatened and endangered species are listed in the U.S. Fish and Wildlife Service Information for Planning and Consultation (IPaC) database, as of August 2023.

- Michaux's sumac (*Rhus michauxii*) – Endangered
- Red-cockaded woodpecker (*Picoides borealis*) – Endangered
- Tri-colored bat (*Perimyotis subflavus*) – Proposed Endangered
- Dwarf wedgemussel (*Alasmodonta heterodon*) – Endangered
- Atlantic pigtoe (*Fusconaia masoni*) – Threatened
- Neuse River waterdog (*Necturus lewisi*) – Threatened
- Carolina madtom (*Noturus furiosus*) – Endangered

WSP previously surveyed for Michaux's sumac and found no individuals or populations of this protected plant species in the project study area. WSP also previously surveyed for red-cockaded woodpecker and determined habitat is not present in the project study area. Considering these survey results, additional surveys for



Michaux's sumac and red-cockaded woodpecker will not be conducted and are excluded from this scope of services.

WSP will conduct a survey of culverts and the spillway structure, as necessary, to determine the presence or absence of tri-colored bat in the project study area. No survey of the on-site buildings will be conducted. In addition, this scope does not include a survey (e.g., mist netting or acoustic survey) of the suitable forested bat habitat.

WSP will contact the U.S. Fish and Wildlife Service to determine potential survey recommendations for the protected aquatic species, including dwarf wedgemussel, Atlantic pigtoe, Neuse River waterdog, Carolina madtom. If recommended by USFWS, FEMA or the USACE, WSP will solicit third-party services for an aquatic survey to determine the presence/absence of these species. An allowance of \$XX,XXX has been included in the estimate to complete aquatics survey. If the price exceeds that amount, WSP will communicate with the Town regarding how to handle the overage. If it is less than that amount, or not required at all, that money will be reserved as a contingency for other tasks, or be applied to construction services when appropriate.

Water Resources

WSP previously delineated potential jurisdictional waters of the U.S., including wetlands, streams, and open waters, in the study area. WSP will prepare a Jurisdictional Determination (JD) request to be submitted to the U.S. Army Corps of Engineers (USACE) for review and approval. The JD Request will include figures and mapping, wetland and stream data forms, and other information necessary to obtain a JD. As a result of the recent U.S. Supreme Court ruling in the Sackett vs. US EPA case, the USACE is not currently issuing Approved JDs while they prepare guidance on the revised definition of waters of the U.S. Therefore, this scope assumes preparation of a Preliminary JD request. In the event the USACE provides updated guidance prior to issuance of the Preliminary JD, WSP will prepare a package to request an Approved JD, as appropriate.

WSP will also submit a Buffer Determination request to the N.C. Division of Water Resources (NCDWR) to document streams and open waters subject to the Neuse River Basin Buffer Rules.

WSP will conduct a one-day site meeting with the USACE and NCDWR to review the project site and the delineated features.

Other Resource Areas in the Project Area

The project will screen readily available databases for the following resource area , but the scope assumes that there will be no likely impacts to these resources.

Bald and Golden Eagle Protection Act (BGEPA)

WSP previously conducted a bald eagle nest survey and did not identify any bald eagles. Further bald eagle surveys or assessments are not anticipated and are not included in this scope of services.

Hazardous & Contaminated Materials

There is one NCDEQ recorded incident labeled as a Low Risk site within 0.25-mile of the project, associated with the old water treatment facility on-site. The structures would be assessed and demolished as part of the project and a Phase I ESA is included as part of the scope under a separate section.

Air Quality

The project is not anticipated to result in changes to air quality and a project-level analysis for National Ambient Air Quality Standards pollutants is not included.



Other Resources

Based on a review of the project area and project description, the scope assumes that the project would not likely affect the following resource areas, therefore additional analysis or fieldwork is not included as part of this scope:

- Farmland Protection Policy Act
- Environmental Justice Analysis
- Acquisitions/Displacements
- Noise & Vibration

Record of Environmental Consideration

The scope assumes that FEMA will determine the project qualifies as one of the CatEx's listed in Table 1 of Appendix A in the Instruction Manual 023-01-001-01, Implementation of the National Environmental Policy Act (2014). The scope currently assumes that the project will for Catex E2, or a similar listing that requires the preparation of a REC.

The consultant will provide documentation for completion of the REC form included in Appendix C of the Instruction Manual 023-01-001-01, Implementation of the National Environmental Policy Act (2014). The scope assumes that the REC documentation will be compiled, submitted, and/or approved by FEMA and determined that the action is appropriately categorically excluded. No further action will be needed to document environmental impacts.

Submittal to Appropriate Agencies

Scope includes submittal of project materials to federal and state agencies as directed and approved by FEMA. WSP assumes FEMA will handle coordination with tribes. Project materials initially submitted include a brief project description and project vicinity map. The consultant will collect and review agency comments. Formal responses to comments are not included in the scope and the scope assumes that the project design will not be revised based on agency comments.

4.2 NCDEQ: DEMLR - NC DAM SAFETY (DEQ)

In accordance with the flow chart made available by NCDEQ, WSP will apply for modification of the dam according to the proposed concept "A". Concept "A" was previously developed as an alternative for rehabilitation and has been selected for advancement to final design. The application to modify the existing dam will include the items required by:

- Dam Safety Approval Application Checklist
- G.S. 143-215.28
- 15A NCAC 02K .0201

As well as the minimum application processing fee of \$200.00 (per G.S. 143-215.28A and 15A NCAC 02K .0222). That fee has been included in this scope of work, and can be covered by WSP if requested. However, the additional application processing fee is based on the actual cost of construction, and is 0.5% for construction projects with a cost exceeding \$1,000,000. With a preliminary anticipated construction cost of \$3,000,000, an additional fee of \$15,000 may be required for final review and approval of the modification. That fee has not been included in this scope.

WSP will submit updated calculations and construction plans to the NC Dam Safety program at each of the three design milestones, and expects to respond to one round of comments each time. Early coordination will be a priority to limit the likelihood of significant comments and/or re-work. WSP will promptly communicate with the Town if any unforeseen circumstances arise which might require additional effort or budget. Additionally, WSP assumes that SEPA requirements will be addressed by the NEPA permitting process described above as task 4.1.



4.3 404 (USACE)/401 WATER QUALITY CERTIFICATION & BUFFER (DEQ) AUTHORIZATION

The project is expected to qualify for a Clean Water Act Section 404 permit from the USACE and corresponding Section 401 WQC from NCDWR. WSP will prepare permitting materials which will be submitted as part of the USACE/NCDWR joint electronic Pre-Construction Notification (ePCN) process. The ePCN will also serve as application for a Neuse River Basin Buffer Approval from NCDWR. The permit package will include a complete ePCN form, figures, impact exhibits and tables, information related to Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act, and other information needed for the processing and issuance of the approvals.

WSP will submit all permit materials to the Town for review prior to submittal to the agencies. WSP assumes two rounds of review by the Town. WSP will also respond to agency comments, assumed to be one round of comments from both the USACE and NCDWR.

As part of the NCDEQ dam safety permit process, the project may need to submit the State Environmental Policy Act (SEPA) Compliance form found on the DEQ's website. The scope includes the completion of the checklist based on the NEPA documentation.

We have included an estimate of fees for the ePCN permit application. If fees at the time of submittal are different than what has been estimated, the true amount will be included in the subsequent invoice to the Town.

Thirty days prior to submitting the ePCN application, WSP will submit a pre-filing notification to NCDEQ in accordance with "40 C.F.R. Section 121.4(a)".

4.4 TOWN – DEVELOPMENT REVIEW

At each of the design milestones listed below, WSP will submit the plans through the Town's IDT plan review portal. The plans will be submitted as "Construction Plans for Site Plan" and will incorporate relevant elements listed on the Town's "Construction Plans Submittal Checklist". WSP assumes that the package will include the following components:

- Construction Management Plan
- Floodplain Development Permit Application Materials
 - While a floodplain exists within the project area, the hydraulic design will be developed to ensure there is no increase to the 100-year floodplain downstream of the reservoir
- Land Disturbance Permit Application Materials
 - Permit approval will be attained from NCDEQ for erosion and sediment control
- Stormwater Report
 - A brief hydraulic design report will be developed in concurrence with the design phases listed above
- Operations and Maintenance Agreement and Manual
 - A brief summary of best practices for maintenance will be assembled, but WSP assumes the Town will handle the official recording of agreement and coordination with the property owners

WSP assumes that Site Plan Review Fees will not be required or will be handled by the Town. No permit review fees have been included for the Town's plan review process within this scope of work.

4.5 STATE – EROSION CONTROL (DEQ)

WSP assumes that an erosion control permit application will be submitted to NCDEQ for this project. Time has been included in this fee estimate for a separate permit submittal through NCDEQ. WSP will prepare and submit the application on behalf of the Town. Additionally, WSP will respond up to two times to minor reviewer requests for revisions.



We have included an estimate for the permit fee assuming a disturbed area of 6-7 acres. If fees at the time of submittal are different than what has been estimated, the remainder will be included in the subsequent invoice to the Town.

DELIVERABLES FOR TASK 4

Task 4.1 – NEPA

- Meeting minutes for up to two meetings with FEMA to discuss NEPA documentation
- One round of revisions to the letters to NC HPO, OSA, and THPO, the REC and State Clearinghouse materials
- Draft and Final Jurisdictional Determination package
- NCDEQ SEPA Compliance Form

Task 4.2 – NC Dam Safety

- Town of Wake Forest Project Manager:
 - 1 digital copy of the completed Dam Safety application Including:
 - Application form
 - Engineering plans
 - Engineering calculations
 - Transmittal sheet
 - SEPA checklist
- NC Department of Environmental Quality:
 - Completed Dam Safety application
 - Check for up to \$200 to cover the minimum permit review fee
 - The “additional application processing fee” is NOT included herein and is expected to be 0.5% of the actual construction cost (<https://www.deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/dam-safety-permits/fees>)

Task 4.3 – 404/401 Certification & Buffer Authorization

- Town of Wake Forest Project Manager:
 - 1 digital copy of the completed ePCN application(s) and Buffer Authorization application
 - Submitted following receipt of comments on the 90% review submittal
 - A hard copy can be provided to facilitate review and signatures if requested
 - 1 digital copy of all items listed below for record-keeping
- NC Department of Environmental Quality:
 - ePCN application(s) with documentation of pre-filing notification and required appendices
 - Checks for up to \$570 to cover the permit fees
- US Army Corps of Engineers – Wilmington District:
 - ePCN application(s) with documentation of pre-filing notification and required appendices
 - No check to cover the permit fee. There is no permit fee.

Task 4.4 – Electronic Plan Review Submittal (Town of Wake Forest)

- 1 digital copy of the construction plans and supporting documents as described in section **Error! Reference source not found.** above
 - Submitted following receipt of comments on the 90% review submittal
 - No check to cover the permit fee, assuming they are waived or covered by the Town

Task 4.5 – Erosion Control Permit (NCG01)

- Town of Wake Forest Project Manager:



- 1 digital copy of the completed EC permit application (including FRO form)
 - Submitted following receipt of comments on the 90% review submittal
 - A hard copy can be provided to facilitate review and signatures if requested
- NC Department of Environmental Quality:
 - EC permit application with plans and required appendices
 - Check for \$700 to cover the permit fee (\$100/ac).

TASK 5.– 60% PLAN DEVELOPMENT

5.1 HYDROLOGIC AND HYDRAULIC DESIGN

Using the report submitted to the Town on July 7th (Existing Condition Assessment and Concept Plan) as a foundation, WSP will advance and refine the hydrologic and hydraulic analyses of the watershed, dam and selected concept according to the guidance in the current version of NCAC 15A Subchapter 2K (Dam Safety) using standards and methods published by the Natural Resources Conservation Commission (NRCS). The North Carolina Dam Safety Program specifies the spillway design flood event as one-half of the probable maximum precipitation (1/2-PMP) for a Class C (high-hazard), medium-sized dam.

Wake Forest has selected Concept A defined in the Existing Condition Assessment and Concept Plan Report issued July 7, 2023. Concept A includes removing the existing spillway, constructing a hydraulically similar spillway in the same location, and raising the dam embankment approximately 3 feet. WSP will perform additional analyses to further refine the design for the 60% plan development with additional considerations for constructability, value engineering and property encroachments.

Modeling and calculations will inform the proposed design to ensure compliance with the following criteria, among other best practice standards for dam design, including those published by NRCS:

- 15A NCAC 02K .0201 – relating to overtopping via flood and wave action
- 15A NCAC 02K .0204 – relating to land use and hydrologic assessment
- 15A NCAC 02K .0205 – relating to capacity of the spillway
- 15A NCAC 02K .0206 – relating to a lake drain / drawdown pipe

5.2 GEOTECHNICAL DESIGN

Similar to section 5.1 above, our team will evaluate, update, and expand on the geotechnical analyses presented in the prior (July 7th) report for the existing dam and selected concept in accordance with the guidance in the current version of NCAC 15A Subchapter 2K (Dam Safety). Analysis will be performed in a program recognized by the USACE and others for the purposes of dam stability analysis.

The input to the module will be based on collected site information (survey and soil borings). This input will include embankment elevations, slopes, stratigraphy, assumed phreatic surface, and groundwater information. The potential for seismic activity will also be considered and applied to the module as appropriate. Analysis will be performed for both normal loading and rapid drawdown conditions.

The geotechnical analyses will inform the proposed design to ensure compliance with the following criteria, among other best practice standards for Dam design:

- 15A NCAC 02K .0208 – relating to factors of safety for:
 - Slope stability for normal loading and rapid drawdown
 - Bearing capacity and sliding wedge factor
 - Flotation uplift

5.3 DESIGN REPORT

A design report summarizing relevant calculations performed in the design subtasks (5.1 – 6.3 above) will be developed for submission to the Town. The same report will be utilized as a foundation for submittal to the NC



Dam Safety Program and will be developed according to their preferred outline structure (see section 4.2 above).

5.4 60% PLAN SET PREPARATION

Design drawings will be prepared in AutoCAD (DWG) format. Note that the complete plan set, as described below, may not be submitted in its entirety until the 90% or 100% design milestone. At each of the 60% milestones, the plan set will be focused on key elements requiring early coordination. The sections which will be deferred until 90% are noted in italics below.

The following plan sheets on a 22" by 34" standard plan sheet border will be provided (the number of sheets anticipated is listed in parentheses next to each section):

- Title Sheet (1): With general project information, vicinity map, and permit information as required.
- General Notes Sheet (1): Containing a legend, standard abbreviations, survey notes, construction notes, and a sequence of construction.
- Erosion and Sedimentation Control Plan (6): This plan will indicate erosion and sedimentation control devices in accordance with the NCDEQ Erosion and Sediment Control Planning and Design Manual for up to three phases of construction. *(Not included until 90%)*
- Existing Conditions, Survey Control, and Demolition Plan (4): Including existing conditions information collected as part of this scope, and the previous two.
- Surcharge Plan and Proposed Grading (3): Illustrating the proposed embankment grades, elevations, and footprint.
- Seepage Blanket / Drain Plan and Details (3): Providing construction information for the downstream drain proposed to manage seepage through the embankment.
- Spillway and Pedestrian Crossing Plan and Details (7): Detailing design and construction information for the proposed spillway and pedestrian bridge. *(bridge information and detailed spillway details not included until 90%)*
- Intake and Lake Drain Rehabilitation / Replacement Plan and Details (3): Providing information for rehabilitation and/or replacement of the intake and lake drain infrastructure.
- Miscellaneous Site Details (4): Information and details relating to pavement replacement, parking, site security, adjustments to the boat launch, etc. *(Not included until 90%)*

5.5 60% ENGINEER'S ESTIMATE

WSP will develop an engineer's estimate of probable construction cost based on recent, available, local bid tabs and supplemented by the latest NCDOT bid averages as posted online. The estimate at the 60% design phase will be organized in a manner to facilitate correlation to construction specifications if feasible. However, final alignment of pay items and specifications will not be completed until the 90% or 100% design milestone.

DELIVERABLES FOR TASK 5

- 60% Design Milestone to the Town's Project Manager for review and comment, will include:
 - Draft (60%) design report
 - Draft (60%) construction plans
 - Draft (60%) estimate of probable cost
 - Digital copy of working cadd files (.dwg format) - upon request



TASK 6.– 90% PLAN DEVELOPMENT

6.1 HYDROLOGIC AND HYDRAULIC DESIGN

See description above for Task **Error! Reference source not found.**. The H&H design will be updated to address review comments provided by the Town based on the deliverables for Task 5. Additionally, calculations will be advanced as needed for the 90% design plans. This includes design for the following:

- Final grades and spillway dimensions
- Design of the seepage blanket and drain
- Detailed calculations for the intake structure and lake drain
- Temporary measures for phasing of construction and erosion & sediment control

6.2 GEOTECHNICAL DESIGN

See description above for Task 5.2. The geotechnical design will be updated to address review comments provided by the Town based on the deliverables for Task 5. Additionally, calculations will be advanced as needed for the 90% design plans. This includes design for the following:

- Final grades (elevation and limits)
- Foundation preparation for the embankment and spillway
- Design of the seepage blanket and drain
- Temporary phasing concerns and recommendations
- Analysis for the pedestrian bridge and other site features

6.3 STRUCTURAL DESIGN

The scope of work of structural engineering includes 60 percent completion level structural analysis, design, and detailing of the following structures:

- **Spillway Structure:** This 20 feet wide structure is composed of reinforced concrete base slab and reinforced concrete training walls on each side of the base slab. The length of spillway is about 220 feet.
- **Stilling Basin:** This 20 feet wide structure is composed of reinforced concrete base slab and reinforced concrete training walls on each side of the base slab. The length of stilling basin is 30 feet. After this constant width of stilling basin the training walls turn diagonally rocks and rip rap are placed in between the walls.
- **Pedestrian Bridge:** This 10 feet wide structure is composed of precast concrete slab or prefabricated structural steel truss with steel decking supported on concrete or steel beams which span 20 feet over the spillway supported by cast-in-place reinforced concrete abutments on each side of the bridge. This bridge will be selected to support pedestrian loading as well as a small maintenance vehicle. Coordination with a prefabricated is likely to begin prior to the 90% milestone to ensure sufficient time for product selection.

Reinforced concrete design will comply with ACI 350-06 with additional design guidance provided by the US Army Corps of Engineers EM 1110-2-2104 (US Army Corps of Engineers, 1992) and US Bureau of Reclamation DS 14.

Structural Steel design will use following references:

- AISC 360-10 Specification for Structural Steel Buildings
- AISC 341-10 Seismic Provisions for Steel Buildings
- AWS D1.1 2010 Structural Welding Code – Steel
- AWS D1.8 2009 Structural Welding Code – Seismic Supplement



- Research Council on Structural Connections Specification for Structural Joints using High-Strength Bolts

6.4 DESIGN REPORT

The design report developed in Task **Error! Reference source not found.** will be updated for submission to the Town and/or Dam Safety. Additional calculations developed as part of Tasks 6.1 - **Error! Reference source not found.** will be added to the report as appropriate. The same report will be utilized as a foundation for submittal to the NC Dam Safety Program and will be developed according to their preferred structure / outline.

6.5 90% PLAN SET PREPARATION

The plan set developed for the 60% submittal (see Task 5.4) will be updated as follows:

- To address one round of review comments provided by the Town
- To incorporate new design elements
- Advanced to a point where the design is 90% complete

6.6 90% ENGINEER'S ESTIMATE

The engineer's estimate described in task 5.5 (above), will be updated based on the 90% design plans and the construction specifications developed in task 6.7.

6.7 90% CONSTRUCTION SPECIFICATIONS

A draft set of construction specifications and associated special provisions will be developed using the latest standard construction specifications provided by the Town. The Town's specifications will be supplemented as appropriate by those from the City of Raleigh, NCDOT, USACE, etc. WSP assumes that standard forms, templates, and language for the front-end documents will be copied from a prior project but will likely require updates. WSP also assumes that construction items (description, measurement, and payment) and materials will require minor adjustment and re-alignment for this project. This scope and fee have been developed assuming that fewer than four custom special provisions will be required. If needed. However, even with these assumptions in place, it is difficult to predict the level of effort that may be required to assist with development of construction specifications. Time has been included in this scope as a preliminary estimate, however WSP will coordinate with the Town and communicate the level of effort that will be required based on the selected approach during development of specifications.

At the 90% design milestone, construction specifications will reflect a draft state, based on the 90% construction plans. Any gaps, or questions will be highlighted for review and input by the Town during the 90% design review and will be addressed during the 100% design stage (Task 7.7).

DELIVERABLES FOR TASK 6

- 90% Design Milestone to the Town's Project Manager for review and comment, will include:
 - Draft (90%) design report
 - Draft (90%) construction plans
 - Draft (90%) estimate of probable cost
 - Draft Construction Specifications
 - Digital copy of working cadd files (.dwg format) - upon request

TASK 7.– 100% PLAN DEVELOPMENT

7.1 HYDROLOGIC AND HYDRAULIC DESIGN

See description above for Task 6.1. The H&H design will be updated to address review comments provided by the Town based on the deliverables for Task 6. Additionally, calculations will be advanced as needed for the 100% design plans.



7.2 GEOTECHNICAL DESIGN

See description above for Task 6.2. The geotechnical design will be updated to address review comments provided by the Town based on the deliverables for Task 6. Additionally, calculations will be advanced as needed for the 100% design plans.

7.3 STRUCTURAL DESIGN

See description above for Task **Error! Reference source not found.** The structural design will be updated to address review comments provided by the Town based on the deliverables for Task 6. Additionally, calculations will be advanced as needed for the 100% design plans.

7.4 DESIGN REPORT

The design report developed in Task **Error! Reference source not found.** will be updated and finalized for submission to the Town and/or Dam Safety. Additional calculations developed as part of Tasks 7.1 - 7.3 will be added to the report as appropriate. No additions to the report are anticipated following the 100% design milestone.

7.5 100% PLAN SET PREPARATION

The plan set developed for the 90% submittal (see Task 6.5) will be updated as follows:

- To address one round of review comments provided by the Town
- To incorporate new design elements
 - Advanced to a point where the design is 100% complete

7.6 100% ENGINEER'S ESTIMATE

The engineer's estimate described in task 6.6 (above), will be updated based on the 100% design plans and the construction specifications developed in Task 7.7.

7.7 100% CONSTRUCTION SPECIFICATIONS

The construction specifications developed for the 90% submittal (see Task 6.7) will be updated to address one round of review comments provided by the Town based on the deliverables for Task 6. Additionally, other gaps, missing bid forms or special provisions, or contradictions will be addressed in preparation for the 100% Design submittal (see deliverables for Task 7). As noted above, WSP will coordinate with the Town and communicate the level of effort that will be required based on the selected approach during development of specifications.

DELIVERABLES FOR TASK 7

- 100% Design Milestone to the Town's Project Manager for review and comment, will include:
 - Final (100%) design report
 - Draft (100%) construction plans
 - Draft (100%) estimate of probable cost
 - Draft Construction Specifications
 - Digital copy of working cadd files (.dwg format) - upon request
- IFB Design Milestone to the Town's Project Manager for review and comment, will include:
 - IFB construction plans
 - IFB Construction Specifications'
 - Including bd tabulation based on the final estimate of probable cost
 - Digital copy of final cadd files (.dwg format) - upon request



TASK 8.BIDDING SUPPORT

8.1 DEVELOPMENT OF ISSUED FOR BID (IFB) DOCUMENTS

WSP will perform a final review of the construction plans and specifications, coordinating with the Town regarding any outstanding questions, before finalizing, sealing, and signing for release for bid. WSP will ensure final alignment of pay items with the specifications, and develop a blank / template bid tabulation for use during the bid process. In addition to preparation of the bid documents, WSP will coordinate with the Town through the IDT portal to ensure final approval is in place for the latest design plans and everything is cleared for bid.

8.2 PRE-BID MEETING

It is assumed that the two employees from WSP will attend the Pre-Bid Meeting to assist in presenting the project and answering questions from prospective bidders. Time has been included for assistance in preparation of a presentation or other materials for the meeting. However, WSP assumes that the Town will take the lead on the effort and WSP will provide materials and input as needed. Additionally, WSP will take minutes during the meeting and provide a first draft to the Town for review and distribution.

8.3 BID ADDENDUM PREPARATION SUPPORT

The Consultant will assist the Town to provide addendum responses to clarify or address questions on the Project. This task assumes the Consultant will assist in the preparation of up to 2 amendments during the bid process. Amendment support includes revisions to the construction plans, technical specifications, and bid tabulation form as necessary. It is assumed that WSP will spend no more than 20 hours per amendment preparing revised bidding documents.

DELIVERABLES FOR TASK 8

Task 8.1 – Pre-Construction Meeting

Deliverables for this task include materials for the agenda and presentation prior to the meeting and draft minutes following the meeting.

Task 8.2 – RFI, Submittal, and Change Order Reviews

Deliverables for this task will relate to the specific type of request during construction and may include a response to the particular submittal denoting its status (approved, rejected, etc.) as well as related updates to the plans, specifications, etc. if required.

Task 8.3 – RFI, Submittal, and Change Order Reviews

Deliverables for this task will relate to the specific type of request during construction and may include a response to the particular submittal denoting its status (approved, rejected, etc.) as well as related updates to the plans, specifications, etc. if required.

EXCLUSIONS:

In addition to the foregoing services being performed the following items may be provided upon request, or may be included in the subsequent (third) scope of services, but are specifically excluded from this scope as described herein:

- Property owner notification, including; preparation of property owner contact list, and pre-survey notification letters to property owners or occupants;
- A full boundary survey to include replacement of monuments marking any lot lines;
- Platting and mapping services other than described;
- Negotiation with adjacent property owners for construction easements;
- An encroachment permit or any coordination with NCDOT;
- A new or updated breach analysis;
- Preparation of a mitigation plan or application to use site as a mitigation project;



- Payment of compensatory mitigation impact fees of any type;
- Preparation of an Individual 401/404 Permit (as opposed to a NWP);
- Any additional (more than one) onsite meeting(s) with US Army Corps of Engineers and/or NCDEQ-DWR;
- An environmental document corresponding to a finding other than a Categorical Exclusion;
- Air quality analysis of any kind;
- Historic architecture and archeology work of any kind;
- Bat surveys of culverts and spillways, or forested areas;
- Preparation of a biological assessment;
- Section 7 formal consultation;
- Plan for replacement or rehabilitation of any private utility, or public utility beyond what is described above;
- Utility relocation coordination;
- Temporary shoring design;
- Any other service that is not specifically described herein.

SCHEDULE:

The following is a preliminary schedule for major milestones of the project. Upon notice to proceed, WSP will work with the Town to develop a more detailed schedule as discussed in Task 1.1.

➤ Complete the existing conditions investigation	8 wks after NTP of this scope
➤ Submit the 60% milestone design ○ 2 weeks for review by / with the Town	18 wks after NTP
➤ Finalize easement plats	20 wks after NTP
➤ Submit the 90% milestone design ○ 2 weeks for review by / with the Town	28 wks after NTP
➤ Permit approvals	40 wks after NTP
➤ Submit the 100% milestone design ○ 2 weeks for review by / with the Town	44 wks after NTP
➤ Submit IFB Documents	48 wks after NTP
➤ Bid Advertisement	52 wks after NTP

FEES:

The total estimated fee - which includes labor necessary to complete the work as described herein is: **\$339,960.**

- An itemization of the fee by task can be found below. A complete breakdown of the fee estimate and all parts that make up the estimate can be found in attachment A.

Task ID	Task Description	Fee Estimate
1.0	Project Administration	\$24,740
2.0	Existing Conditions Investigation	\$65,545
3.0	Conceptual Analysis	\$-
4.0	NEPA Coordination and Permitting	\$65,840
5.0	60% Plan Development	\$54,930
6.0	90% Plan Development	\$76,740
7.0	100% Plan Development	\$31,590
8.0	Bidding Support	\$15,030
	Expenses	\$5,545
Total		\$339,960



- This is the third scope submitted for this project. The first scope covering survey included a fee estimate of \$53,874. The second scope covering existing conditions assessment and concept development included a fee estimate of \$177,914. Combined these three scopes carry a total fee of \$571,748.
- Labor fees will be invoiced monthly for actual hours expended in accordance with the Billing Rates included in the Master Service Agreement for On-call Professional Engineering Services dated 7/19/2022 and executed by WSP USA Inc. and the Town of Wake Forest. The total amount invoiced for each task shall not exceed the dollar amount shown in the fee estimate attached (Attachment A) without prior written authorization from the Town.
- All costs for prints, reproductions, mileage, postage, and permit fees will be considered a reimbursable expense. A Reimbursable Expenses Budget is included in the fee estimate. Reimbursable expenses shall not exceed this budget without prior written authorization from the Town. Note that the estimate for expenses herein, does not include the NC Dam Safety fee calculated as a percentage of construction cost.

We appreciate the opportunity to submit to you our proposal for professional services and look forward to your review. If you have any questions, do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Everett Gupton'.

Everett Gupton, PE, PMP
Carolinas Water Director
Project Manager

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Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-301-

Submitted by: Steven Meyer

Submitting Department: Engineering

Meeting Date: November 21, 2023

SUBJECT

Approval of Supplemental Service Agreement with Mott MacDonald on Resurfacing Project FY 23-24

Recommendation:

Approval of contract in the amount of \$220,000 to utilize Mott MacDonald connected to the On-Call Engineering Services for the Town of Wake Forest MSA approved January 2023.

Item Summary:

ATTACHMENTS

- [Summary.docx.docx](#)
- [Attachment A 2023-xx Resolution.docx](#)
- [Attachment B scope of work.pdf](#)
- [Attachment C mott mac contract.pdf](#)

ITEM TITLE: Approval for Construction Engineering and Inspection (CEI) for the FY24 Street Resurfacing Project.

ITEM SUMMARY: In February 2023, the Board approved Mott Macdonald as a consultant for the Town's On-Call Engineering Services. This contract authorizes the utilization of Mott Macdonald for construction engineering and inspection services (CEI) for the recently bid FY24 Street Resurfacing Project, with a service cost of \$243,454.07.

ATTACHMENTS:

Attachment A 2023-xx Resolution

Attachment B scope of work

Attachment C mott mac contract

SPECIFIC ACTION REQUESTED: Recommend approval.

RESOLUTION 2023-XX

RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE TO
THE ENGINEERING SERVICES AND INSPECTION CONTRACT FOR THE
FY24 STREET RESURFACING PROJECT

WHEREAS, Mott Macdonald was awarded as an on-call engineering services consultant in February 2023; and

WHEREAS, in September 2023, the Town of Wake Forest authorized the Town Manager to execute a contract with FSC II, LLC DBA Fred Smith Company for the Bid #0002-2023 Street Resurfacing Project; and

WHEREAS, the Town's on-call engineering services consultant, Mott Macdonald, agreed to a scope of services to include construction engineering, inspection, and quality assurance testing on the recently awarded street resurfacing project; and

BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the Town Manager is hereby authorized to execute a contract with Mott Macdonald for Construction Engineering and Inspection Services (CEI) in the amount of \$243,454.07:

Motion by: _____

Second by: _____

Duly adopted this 21st day of November 2023.

Vivan A. Jones
Mayor

(ATTEST)

Theresa Savary

Town Clerk



Town of Wake Forest
Attention: Min Htun, Civil Engineer
Engineering
301 S. Brooks Street
Wake Forest, NC 27587

November 3, 2023

**Wake Forest Resurfacing Construction Engineering and Inspection (CEI)
Bid # 0002-2023**

7621 Purfoy Road
Suite 115
Fuquay-Varina NC 27526
United States of America

T +1 (919) 629-2241

www.mottmac.com/america
cas

Mr. Htun:

Attached please find Mott MacDonald's scope of work and fee estimate for performing construction engineering, inspection and QA testing on the Wake Forest Street Resurfacing Project recently bid.

We appreciate the opportunity to support the Town of Wake Forest and look forward to working with you on this project. Adam Gosselin, PE, Principal – Construction Management for the Mid Atlantic Division for Mott MacDonald will be leading the effort for the CEI services. If you have questions regarding this proposal, please contact Adam.

Please let me know if you have questions or need additional information.

Very Truly Yours,

Greg Burns, PE

Principal Project Manager

Cc: Adam Gosselin, PE

EXHIBIT A
TO AGREEMENT BETWEEN
CLIENT and ENGINEER

This Services Order is issued pursuant to the Master Agreement for Professional Services ("Agreement") entered between CLIENT and ENGINEER dated February 27, 2023.

SPECIFIC PROJECT NAME:

Contract Engineering and Inspection for Wake Forest 2024 Resurfacing Program.

SPECIFIC PROJECT DESCRIPTION:

The project consists of milling and resurfacing of 50 maps within the Town of Wake Forest. The project includes utility adjustment, concrete driveway repair, curb and gutter repair, ADA ramp upgrades, pavement markings and traffic control.

Mott MacDonald's scope of work provides pavement Construction Engineering & Inspection services and laboratory and field-testing services to the CLIENT. This scope was developed by Mott MacDonald based on a request from the CLIENT. This scope is intended to be a cost-plus-fixed-fee contract and the ENGINEER will provide monthly progress reports to track the actual hours spent. The durations, field work, and construction services are based on the anticipated timelines outlined in this scope and attached fee estimate.

SCOPE OF SERVICES:

ENGINEER will perform the following services but are not limited to the items listed below. The CLIENT reserves the right to add or reduce the type of services requested. Services will be requested in writing.

1. **Provide CEI Services for the oversight, inspection, quality assurance material testing, and contract administration for the Wake Forest 2023-24 Resurfacing Construction Contract.**
2. **CEI Oversight services include:**
 - a. **Scheduling of a preconstruction meeting as well as pre-operation meetings with winning contractor.**
 - i. **Pre-construction meeting will discuss scope, schedule, material acceptance, payment schedule amongst other items necessary for the successful delivery of the construction contract.**
 - ii. **Pre-operation meetings will be scheduled as necessary to review scope of work such as paving, concrete placement, traffic control, ADA ramp placement. A pre-paving meeting will be scheduled with the winning contractor. Mott MacDonald will be responsible for recording and documenting all meeting records and memos.**
 - b. **Review of executed construction contract.**
 - i. **Coordinate errors and/or omissions to the CLIENT.**
 - ii. **Coordinate RFI's to the CLIENT.**
 - iii. **Coordinate potential change orders to the CLIENT.**
 - iv. **Coordinate any costs overruns/underruns to the CLIENT that result from plan changes.**
3. **CEI Inspection services include:**
 - a. **Provide inspection personnel qualified to adequately inspect installed work in accordance with the construction contract documents.**
 - i. **Inspect traffic control setup in accordance with the approved traffic control plans.**
 - ii. **Inspect milling operations and verify correct depth, cross-slope, area.**
 - iii. **Inspect asphalt paving operations to account for proper thickness, cross-slope, spread rate, and target tonnage.**
 - iv. **Inspect concrete operations including ADA/Sidewalk/Curb Ramps for compliance with ADA.**
 - v. **Inspect curb and gutter operations for proper slope and placement in accordance with the contract documents.**

- vi. Inspect manhole and valve box adjustments to verify proper elevations to match final asphalt layer.
 - vii. Inspect temporary / permanent pavement markings and pavement marking removal to verify proper dimensions, thickness, and reflectivity in accordance with the contract documents.
 - b. Review quantities with contractor monthly (or a predetermined interval approved by the CLIENT) and provide recommendation for payment.
 - i. Maintain daily diary to include tracking daily quantities and quality.
 - ii. Measure and calculate the quantities for contractor's daily work inclusive of all bid items including pavement calculation and review for invoices.
 - c. Conduct final inspection, generate punch list, and follow up on its completion.
4. CEI Material and Testing Services

See attached fee estimate for testing services to be provided by Mott MacDonald's subconsultant, S&ME. Material and testing services will be billed at the provided unit rates. An estimate of QA tests is also provided based on the current contract quantities. All methods, process, procedures, and testing must comply with NCDOT standards and procedures listed in the Asphalt Quality and Roadway Manual. All tests will be approved by the CLIENT.

- Concrete: The placement of new concrete will be monitored, and field tested for air content, slump, and temperature. Cylinders will also be cast by inspector in the field and transported for laboratory compressive strength testing.
- Asphalt: Asphalt paving quality assurance will be performed following the NCDOT Standards and Specifications to include measuring samples for thickness and testing for specific gravity, gradation, and density. The contractor shall perform quality control as per NCDOT requirements. Mott MacDonald and subcontractor S&ME will perform quality assurance including laboratory testing of cores. The contractor proposes to use non-nuclear testing of the asphalt pavement for quality control in accordance with NCDOT Standards and Specifications. Mott MacDonald's subcontractor S&ME will perform non-nuclear quality assurance testing in accordance with NCDOT Standards and Specifications.

COMPENSATION:

ENGINEER's compensation shall be on a cost-plus basis with not to exceed amount to be billed at the rates noted on exhibit B and exhibit C. Monthly invoice will include employee's time sheets which will detail the location of the employee's work, time spent on location, and work performed to support the billing. The attached estimate is for planning purposes. Additional supplements may be required to complete the necessary coordination and deliverables for the activities.

Mott MacDonald - \$211,323.52 cost plus not to exceed without written Town of Wake Forest approval.

S&ME - \$32,130.55 cost plus not to exceed without written Town of Wake Forest approval.

Total Fee - \$243,454.07



Date: 3-Nov-23
Location: Wake Forest
Description: CEI services for Wake Forest 2024 Resurfacing Plan

SCOPE of SERVICES

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S&ME

Fee Estimate

EXHIBIT C

Date: 3-Nov-23
 Location: Wake Forest
 Description: Laboratory testing services and field testing services for quality assurance

Labor Cost							
	Senior Inspector	Inspector					
Task	\$ 40.00	\$ 27.00					
CEI QA Paving Inspection (Non-nuclear testing)		297					
Labor Hour Summary by Classification:	0	297	0	0	0	0	0
Labor Cost by Classification:	\$ -	\$ 8,019.00	\$ -	\$ -	\$ -	\$ -	\$ -
						Labor Subtotal:	\$ 8,019.00

General Overhead	198.55%	\$ 15,921.72
Subtotal		\$ 23,940.72
Comparative Fee	9.00%	\$ 2,154.67
Facilities Cost of Capital	0.1890%	\$ 15.16
Total		\$ 26,110.55

S&ME estimate for non-nuclear field testing services

S&ME (See below S&ME Fee Estimate for laboratory services)

\$ 6,020.00

SCOPE of SERVICES

TOTAL COST ESTIMATE: 32,130.55

S&ME Fee Estimate for Laboratory Services						
Service	Rate	Quantity	Unit	Comment	Amount	
Staff Professional	\$ 125.00	4	Hour	Review and prepare reports	\$	500.00
Senior Technician	\$ 100.00	4	Hour	Review and prepare reports	\$	400.00
Compressive Strength Testing Concrete Cylinders	\$ 75.00	10	Each		\$	750.00
Density and Thickness Testing of Drill Cores of Asphalt	\$ 60.00	10	Each		\$	600.00
Theoretical Maximum Specific Gravity	\$ 200.00	10	Each		\$	2,000.00
Asphalt Coring Crew	\$ 400.00	4	Hours		\$	1,600.00
Vehicle Mileage	\$ 0.85	200	Miles		\$	170.00
				Total	\$	6,020.00

TOWN OF WAKE FOREST, NORTH CAROLINA MASTER SERVICE AGREEMENT FOR ON-CALL PROFESSIONAL GENERAL ENGINEERING SERVICES

THIS AGREEMENT (“Master Service Agreement” or “MSA”) is made and entered into as of the 27th day of February, 2023, by the Town of Wake Forest (“Town”) and Mott MacDonald I&E, LLC (“Consultant”), organized and existing under the laws of the State of North Carolina.

GENERAL ENGINEERING PROFESSIONAL SERVICES

WHEREAS, the Town desires to engage the Consultant to provide On-Call General, Engineering, and Inspection Professional Services related to municipal general engineering, construction, and inspection as set forth in and in accordance with Supplemental Services Agreements (“SSA”); and

WHEREAS, the Town issued a “Request for Qualifications for On-Call General Engineering Services RFQ # 22-0001 dated 16th day of September 2022; and

WHEREAS, Consultant provides professional consulting services and has experience, staff, and resources to perform such Services;

NOW THEREFORE, Town and Consultant, in consideration of their mutual covenants, herein agree as follows:

SECTION I. BACKGROUND and PURPOSE

The purpose of the Town’s on-call process is to secure more than one general engineering professional to provide professional on-call engineering, construction, and inspection services. The purpose of this Agreement is to provide the basic terms and conditions by which Consultant will provide its services to the Town, as the need for Services may arise, and in accordance with the standards and requirements as described herein, and in each SSA.

SECTION II: SERVICES and SCOPE to be PERFORMED

The Consultant shall perform on-call Services as set forth in this MSA and SSA. The SSA is made a part of this Agreement as if fully set forth herein. The Town shall pay Consultant for the performance of Services in the manner set forth herein and in the SSA.

Requests for services made by the Town to Consultant are contingent upon execution of an SSA and the sufficiency of funding. No services shall commence on a particular project until an SSA has been executed by both parties, and the Town has issued a Notice to Proceed to Consultant. Any amendments, corrections, or change orders by either party must be made in writing signed in the same manner as the original. (This form may be used for amendments and change orders.) The Town reserves the right to refuse payment for any work outside that authorized herein or pursuant to a duly approved amendment or change order.

Services to be provided shall be set forth in an SSA and amendments to that agreement. The SSA may also include additional terms and conditions regarding payment and other matters necessary for the

execution of projects. SSAs shall not vary the terms of this Agreement, except where this Agreement authorizes such variance, and shall be interpreted consistently with this Agreement. If there is a conflict between this Agreement and SSAs, this Agreement shall control.

The Town has no obligation to provide Services with any work hereunder and does not guarantee the issuance of any minimum number of SSAs under this Agreement.

Consultant represents and agrees that now and continuing for the term of this Agreement, Consultant:

- is experienced, qualified, skilled, and fully capable of performing Services in a competent and professional manner; and
- shall exercise reasonable care and diligence, and, subject to the Standard of Care, shall act in the best interest of Town; and
- Notwithstanding any other term to the contrary, shall act in accordance with generally accepted standards of Consultant's practice applicable to the locality (the "Standard of Care"); and
- shall comply with this Agreement, applicable SSAs, and with all currently applicable federal, state, and local laws, ordinances, codes, rules, and regulations (collectively "Laws and Regulations"); and
- possesses all necessary qualifications, licenses, and certifications; and
- shall perform in a timely manner and in accordance with schedules required under this Agreement or an applicable SSA, time being a material condition; and
- shall work in good faith with Town to meet requirements imposed by the federal or state government or other funding entity if grants are used to fund any portion of projects; and
- the individual(s) signing Agreement have the right and power to do so and bind Consultant to the obligations set forth herein and such individuals do so personally warrant that they have such authority.

SECTION III: AGREEMENT DURATION

This Agreement shall authorize SSAs to be executed for a three (3) year period from the date of execution of this Agreement. Any SSA executed within period of execution of this Agreement shall be binding for the period set forth therein, and this Agreement and such SSA, and amendments to such Agreements, shall be binding for the time period set forth in the SSA. Any SSA executed within this three-year period may be amended for additional scope, fee, or time. The Agreement may be extended for two (2), one-year periods.

Services shall commence upon execution of SSAs describing the specific project and Services to be performed. A written Notice to Proceed following execution of such SSA(s) will be issued to the Consultant. Consultant will not commence Services until such notice is received.

SECTION IV: COMPLETE WORK without EXTRA COST

Unless otherwise provided, the Consultant shall obtain and provide, without additional cost to the Town, all labor, materials, equipment, transportation, facilities, services, permits, and licenses necessary to perform the Services.

SECTION V: COMPENSATION

The terms of payment for Services provided by Consultant shall be set forth in each SSA. Such agreement may provide for compensation in accordance with an hourly rate schedule, or a set fee for Services, paid one time or in periodic payments, or a combination of these methods of compensation.

Unless otherwise provided in the SSA, Consultant shall obtain, and provide, without additional cost to the Town, all labor, materials, equipment, transportation, facilities, services, permits, and licenses necessary to perform Services under this Agreement. In addition to hourly rates or the set fee payment set forth in the SSA, Town shall pay Consultant for expenses and costs only when reimbursement for such items is specifically provided for in an SSA. The Town shall not be obligated to pay any expenses and costs not specifically identified in an SSA.

SECTION VI: CONSULTANT'S BILLINGS to TOWN

The Consultant shall submit an invoice once Service is completed or at designated times during the course of completing a Service. Once the invoice is submitted and approved by the appropriate department the terms will be Net 30 days. The terms may only be changed by written consent of the Finance Director.

SECTION VII: INSURANCE

Consultant shall maintain insurance policies at all times with minimum limits per occurrence or claim and in the general aggregate as follows:

<u>Coverage</u>	<u>Minimum Limits</u>
Workers' Compensation	Statutory Limits
Employers' Liability	\$ 1,000,000
General Liability	\$1,000,000
Automobile Liability	\$500,000
Professional Liability (E & O)	\$1,000,000 (If Required)

Contractor shall provide the Town with a Certificate of Insurance for review prior to the issuance of any contract or Purchase Order. All Certificates of Insurance will require thirty (30) days written notice by the insurer or contractor's agent in the event of cancellation, reduction or other modifications of coverage. In addition to the notice requirement above, Contractor shall provide the Town with immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Contractor to provide such notice, Contractor assumes sole responsibility for all losses incurred by the Town for which insurance would have provided coverage. The insurance certificate shall be for the initial contract period of one (1) year and shall be renewed by the contractor for each subsequent renewal period of the contract. The Town shall be listed as certificate holder and named as an additional insured under General Liability. It is required that coverage be placed with "A" rated insurance companies acceptable to the Town. Failure to maintain the required insurance in force may be cause for contract termination. In the event that the contractor fails to maintain and keep in force the insurance herein required, the Town has the right to cancel and terminate the contract without notice. Contractor shall provide proof that a Drug-Free Workplace Program is in place and that drivers meet DOT/CDL licensing requirements, if requested.

SECTION VIII: PERFORMANCE of WORK by TOWN

If the Consultant fails to perform the Services in accordance to Section II above, the Town may, in its discretion, in order to bring the project closer to schedule, perform or cause to be performed some or all of the Services, and doing so shall not waive any of the Town's rights and remedies. Before doing so, the Town shall give the Consultant reasonable written notice of its intention and a reasonable opportunity to cure such failure. The Consultant shall reimburse the Town for all costs incurred by the Town in exercising its right to perform or cause to be performed some or all of the Services pursuant to this section.

SECTION IX: ATTACHMENTS

The following attachments are made a part of this Agreement and incorporated herein by reference:

Attachment A: Scope of Work
Attachment B: Hourly Rate
Attachment C: Title VI Appendment
Attachment D: ARPA Contract Addendum

SECTION X: NOTICE

All notices and other communications required or permitted by this contract shall be in writing and shall be given either by personal delivery, email, or certified United States mail, return receipt requested, addressed as follows:

To the Town:
Town of Wake Forest
Attn: Joe Guckavan, Jr., PE
Director of Engineering
Engineering Department
301 S Brooks Street
Wake Forest, NC 27587
(919) 435-9439
jguckavan@wakeforestnc.gov

To the Consultant:
Mott MacDonald I&E, LLC
Attn: Brian Speight, P.E.
Division General Manager
1101 Haynes Street, Suite 101
Raleigh, NC 27604
(919) 552-2253
brian.speight@mottmac.com

With a copy to:

Mott MacDonald I&E, LLC
Attn: General Counsel
111 Wood Avenue South
Iselin, NJ 08830

Change of Address, Date Notice Deemed Given:

A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this contract shall be deemed given at the time of actual delivery, if it is personally delivered or sent by fax. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever occurs first.

SECTION XI: INDEMNIFICATION

To the extent permitted under N.C. Gen. Stat § 22B-1, the Consultant agrees to indemnify, and hold-harmless the Town of Wake Forest, its elected and appointed officials, employees, agents, and volunteers against any and all damages, expenses, or losses, which may be asserted, claimed, or recovered against or from the Town of Wake Forest, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof to the extent caused by the negligence of the Consultant.

SECTION XII: ADDITIONAL PROVISIONS

(a) Choice of Law and Forum. This contract shall be deemed made in Wake County, North Carolina. This contract shall be governed by and construed in accordance with the law of North Carolina. The exclusive forum and venue for all actions arising out of this contract shall be the appropriate division of the North Carolina General Court of Justice, in Wake County. Such actions shall neither be

commenced in nor removed to federal court. This section shall not apply to subsequent actions to enforce a judgment entered in actions heard pursuant to this section.

(b) Waiver. No action or failure to act by the Town shall constitute a waiver of any of its rights or remedies that arise out this contract, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.

(c) Performance of Government Functions: Nothing contained in this contract shall be deemed or construed so as to in any way estop, limit, or impair the Town from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

(d) Severability. If any provision of this contract shall be unenforceable, the remainder of this contract shall be enforceable to the extent permitted by law.

(e) Assignment, Successors and Assigns. Without the Town's written consent, the Consultant shall not assign (which includes to delegate) any of its rights (including the right to payment) or duties that arise out this contract. Unless the Town otherwise agrees in writing, the Consultant and all assigns shall be subject to all of the Town's defenses and shall be liable for all of the Consultant's duties that arise out of this contract and all of the Town's claims that arise out of this contract. Without granting the Consultant the right to assign, it is agreed that the duties of the Consultant that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.

(f) Compliance with Law. In performing all of the Work, the Consultant shall comply with all currently applicable law.

(g) Town Policy. THE TOWN OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONSULTANTS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONSULTANTS AND VENDORS UNDER CITY CONTRACTS.

(h) EEO Provisions. During the performance of this Contract the Consultant agrees as follows: (1) The Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Consultant shall take affirmative action to ensure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Consultant shall post in conspicuous places available to employees and applicants for employment, notices setting forth these EEO provisions. (2) The Consultant in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.

(i) No Third Party Right Created. This contract is intended for the benefit of the Town and the Consultant and not any other person.

(j) Principles of Interpretation. In this contract, unless the context requires otherwise: (1) The singular includes the plural and the plural the singular. The pronouns "it" and "its" include the masculine and feminine. Reference to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The word "person" includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.

(k) Modifications, Entire Agreement. A modification of this contract is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the Town unless the Town Manager or other duly authorized official signs it for the Town. This contract contains the entire agreement between the parties pertaining to the subject matter of this contract. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract.

(l) E-Verify. Consultant shall comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes. Further, if Consultant utilizes a subconsultant, Consultant shall require the Subconsultant to comply with the requirements of Article 2 of Chapter 64 of the NC General Statutes.

(m) Iran Divestment Act. Consultant certifies that; (i) it is not identified on the Final Divestment List or any other list of prohibited investments created by the NC State Treasurer pursuant to N.C.G.S. 143-6A-4; (ii) it will not take any action causing it to appear on any such list during the term of this Contract, and (iii) it will not utilize any subcontractor to provide goods or services hereunder that is identified on any list.

(n) Divestment from Companies that Boycott Israel. Consultant represents, covenants, and certifies that it is not listed on the list of restricted companies developed and published by the North Carolina State Treasurer as required by N.C.G.S. 147-86.81.

(o) Quality and Workmanship. All work performed and/or services rendered shall be performed to the reasonable satisfaction of the Town of Wake Forest in accordance with the accepted industry standard of care for design professionals. The work performed and/or services rendered shall not be considered complete, nor applicable payments rendered, until the Town is satisfied with the work performed and/or services rendered

(p) Standard Terms and Conditions. Additional Terms and Conditions stated on the face of a Town purchase order shall take precedence over any conflicting Standard Terms and Conditions stated. Any Terms and Conditions not stated, but incorporated by reference therein, shall be binding only if provided or signed by the Town and attached hereto. In the event that a binding written contract signed by both the Vendor and the Town exists, the Terms and Conditions of that contract shall supersede any conflicting Standard Terms and Conditions.

(q) Non-appropriation clause. Contractor acknowledges that the Town of Wake Forest is a governmental entity, and the contract validity is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are unavailable and not appropriated for the performance of the Town of Wake Forest's obligations under this contract, then this contract shall automatically expire without penalty to the Town of Wake Forest thirty (30) days after written notice to Contractor of the unavailability and non-appropriation of public funds. It is expressly agreed that the Town of Wake Forest shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this contract, but only as an emergency fiscal measure during a substantial fiscal crisis, which affects generally its governmental operations. In the event of a change in the Town of Wake Forest's statutory

authority, mandate and mandated functions, by state and federal legislative or regulatory action, which adversely affects the Town of Wake Forest's authority to continue its obligations under this contract, then this contract shall automatically terminate without penalty to the Town of Wake Forest upon written notice to Contractor of such limitation or change in the Town of Wake Forest's legal authority.

(r) No pledge of taxing authority. The taxing power of the Town of Wake Forest is not pledged directly or indirectly to secure any monies due under this contract.

(s) No waiver of governmental immunity; Violation of law. Except for waiver of governmental immunity resulting from the execution of a valid contract, the Town of Wake Forest makes no other waiver of governmental immunity. If any provision of the Contract or Agreement is in violation of any legal, statutory or state constitutional prohibition, then such provision(s) shall be unenforceable against the Town of Wake Forest.

(t) Conflict of Interest. If this is a contract for design, engineering, contract administration or similar services, the Contractor will not enter into contracts or agreements with third parties that may present a potential for conflict of interest between the Town of Wake Forest and the third parties regarding the subject matter of this Contract or Agreement.

(u) Public Record. This Contract or Agreement is subject to disclosure under the public records laws of the State of North Carolina.

SECTION XIII: TERMINATION

Either party may terminate this Agreement upon sixty (60) day written notice; provided, however, no such termination shall discharge Consultant's obligations to complete and furnish services as previously agreed to by the parties pursuant to this Agreement or any Supplemental Service Agreement, nor shall termination discharge the Town's obligations to pay for such services as provided for in this Agreement or any Supplemental Service Agreement.

[SIGNATURE PAGE FOLLOWS]

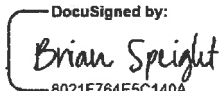


IN WITNESS WHEREOF, the Town of Wake Forest and the Consultant have caused this contract to be executed under seal by their respective duly authorized agents or officers.

TOWN OF WAKE FOREST:

CONSULTANT:

By: 

By: 
8021F764E5C140A...

Kip Padgett
Printed

Brian Speight
Printed

Witnessed by:

Witnessed by:


Name

Mark O'Connor
Name

Ella F. Huntin
Printed

Mark O'Connor, Assistant Secretary
Printed



(SEAL)



ATTACHMENT D

TOWN of WAKE FOREST

CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADDENDUM

This **CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADDENDUM** (this “*Addendum*”) is entered into by and between Mott MacDonald, I&E, LLC, a Limited Liability Company (“*Contractor*”), and The Town of Wake Forest, a municipal corporation of the State of North Carolina (“*Unit*”), and forms an integral part of the Contract (as defined in Section I hereof).

RECITALS

WHEREAS, on July 14, 2021, Unit has received, either as a Recipient or Subrecipient (as each such term is defined in Section I hereof) a payment from the Coronavirus State Fiscal Recovery Fund (“*State Fiscal Recovery Fund*”) or Coronavirus Local Fiscal Recovery Fund (“*Local Fiscal Recovery Fund*” and, together with the State Fiscal Recovery Fund, the “*Fiscal Recovery Funds*”) established pursuant to Sections 602 and 603, respectively, of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (“*ARPA*”) (March 11, 2021); and

WHEREAS, Unit intends to pay, in part or in whole, for the cost of the Contract (as defined in Section I hereof) using monies received from the Fiscal Recovery Funds; and

WHEREAS, in using such funds, Unit must comply with the terms of ARPA, regulations issued by the U.S. Department of the Treasury (“*Treasury*”) governing the expenditure of monies distributed from the Fiscal Recovery Funds (including, without limitation, the Interim Final Rule (86 Fed. Reg. 26,786 (May 17, 2021) and Final Rule (87 Fed. Reg. 4,338 (Jan. 27, 2022))), the Award Terms and Conditions applicable to the Fiscal Recovery Funds, and such other guidance as the Treasury has issued or may issue governing the expenditure of monies distributed from the Fiscal Recovery Funds (collectively, the “*Regulatory Requirements*”); and

WHEREAS, pursuant to the Regulatory Requirements, Unit must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury has determined or may determine are inapplicable to the Fiscal Recovery Funds; and

WHEREAS, pursuant to 2 C.F.R. § 200.327, Unit must include within the Contract applicable provisions described in Appendix II to 2 C.F.R. Part 200, each of which is contained in this Addendum; and

WHEREAS, Unit shall not enter into the Contract or make any distributions of funds to Contractor using monies from the Fiscal Recovery Funds absent Contractor's agreement and adherence to each term and condition contained herein.

NOW THEREFORE, Contractor and Unit do mutually agree as follows:

AGREEMENTS

- I. Definitions.** Unless otherwise defined in this Addendum, capitalized terms used in this Addendum shall have the meanings ascribed thereto in this Section I.
- a) "*ARPA*" shall mean the American Rescue Plan Act of 2021, Pub. L. No. 117-2, as amended.
 - b) "*Administering Agency*" shall have the meaning specified in 41 C.F.R. § 60-1.3.
 - c) "*Applicant*" shall have the meaning specified in 41 C.F.R. § 60-1.3, which is provided here for ease of reference: ("An applicant for Federal assistance involving a construction contract, or other participant in a program involving a construction contract as determined by regulation of an administering agency. The term also includes such persons after they become recipients of such Federal assistance.").
 - d) "*Construction Work*" shall have the meaning specified in 41 C.F.R. § 60-1.3, which is provided here for ease of reference: ("[T]he construction, rehabilitation, alteration, conversion, extension, demolition or repair of buildings, highways, or other changes or improvements to real property, including facilities providing utility services. The term also includes the supervision, inspection, and other onsite functions incidental to the actual construction.").
 - e) "*Contract*" shall mean the legal instrument by which Unit, as a Recipient or Subrecipient, shall purchase from Contractor property or services needed to carry out a project or program under a Federal award, and of which this Addendum shall constitute an integral part.
 - f) "*Contractor*" shall mean the entity named as "Contractor" in this Addendum that has received a Contract from Unit.
 - g) "*Federally Assisted Construction Contract*" shall have the meaning specified in 41 C.F.R. §60-1.3, which is provided here for ease of reference: ("[A]ny agreement or modification thereof between any applicant and a person for construction work which is paid for in whole or in part with funds obtained from the Government or borrowed on the credit of the Government pursuant to any Federal program involving a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, or any application or modification thereof approved by the government of the United States of America for a grant, contract, loan, insurance, or guarantee under which the applicant itself participates in the construction work.").
 - h) "*Government*" shall have the meaning specified in 41 C.F.R. § 60-1.3, which is provided here for ease of reference: ("[T]he government of the United States of America.").

- i) “*Laborer*” or “*Mechanic*” shall have the meaning specified in 29 C.F.R. § 5.2(m), which is provided here for ease of reference (“The term laborer or mechanic includes at least those workers whose duties are manual or physical in nature (including those workers who use tools or who are performing the work of a trade), as distinguished from mental or managerial. The term laborer or mechanic includes apprentices, trainees, helpers, and, in the case of contracts subject to the Contract Work Hours and Safety Standards Act, watchmen or guards. The term does not apply to workers whose duties are primarily administrative, executive, or clerical, rather than manual. Persons employed in a bona fide executive, administrative, or professional capacity as defined in part 541 of [Title 40 of the United States Code] are not deemed to be laborers or mechanics. Working foremen who devote more than 20 percent of their time during a workweek to mechanic or laborer duties, and who do not meet the criteria of [Title 40 of the United States Code], are laborers and mechanics for the time so spent.”).
- j) “*Recipient*” shall mean an entity that receives a Federal award directly from a Federal awarding agency. The term does not include subrecipients or individuals that are beneficiaries of an award.
- k) “*Subcontract*” shall mean any agreement entered into by a Subcontractor to furnish supplies or services for the performance of this Contract or a Subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.
- l) “*Subcontractor*” shall mean an entity that receives a Subcontract.
- m) “*Subrecipient*” shall mean an entity that receives a subaward from a pass-through entity to carry out part of a Federal award; but it does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.
- n) “*Tier*” shall have the meaning indicated in 2 C.F.R. Part 180 and illustrated in 2 C.F.R. Part 180, Appendix II.
- o) “*Unit*” shall have the meaning indicated in the preamble to this Addendum.

II. Equal Employment Opportunity

- a) If this Contract is a Federally Assisted Construction Contract exceeding \$10,000, during the performance of this Contract, Contractor agrees as follows:
 - i. Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

- ii. Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
- iii. Contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the Contractor's legal duty to furnish information.
- iv. Contractor will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- v. Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- vi. Contractor will furnish to the Administering Agency and the Secretary of Labor all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- vii. In the event of Contractor's noncompliance with the nondiscrimination clauses of this Contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or Federally Assisted Construction Contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965. Such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- viii. Contractor will include the portion of the sentence immediately preceding paragraph (a)(i) of this Section II and the provisions of paragraphs (a)(i) through (a)(vii) in every Subcontract or purchase order unless exempted by

rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each Subcontractor or vendor. Contractor will take such action with respect to any Subcontract or purchase order as the Administering Agency may direct as a means of enforcing such provisions, including sanctions for noncompliance.

Provided, however, that in the event Contractor becomes involved in, or is threatened with, litigation with a Subcontractor or vendor as a result of such direction by the Administering Agency, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

Unit further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if Unit so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

- ix. Unit agrees that it will assist and cooperate actively with the Administering Agency and the Secretary of Labor in obtaining the compliance of Contractors and Subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the Administering Agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the Administering Agency in the discharge of the agency's primary responsibility for securing compliance.
- x. Unit further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a Contractor debarred from, or who has not demonstrated eligibility for, Government contracts and Federally Assisted Construction Contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon Contractors and Subcontractors by the Administering Agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, Unit agrees that if it fails or refuses to comply with these undertakings, the Administering Agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

- b. If this Contract is not a Federally Assisted Construction Contract exceeding \$10,000, the provisions of Section I(a) of this Addendum shall not apply.

III. Copeland "Anti-Kickback" Act

- a) Contractor and any Subcontractors performing work under the Contract shall comply with

18 U.S.C. § 874. Unit shall report all suspected or reported violations to the Department of the Treasury.

IV. Contract Work Hours and Safety Standards Act

- a) *Overtime Requirements.* No Contractor or Subcontractor contracting for any part of the Contract work which may require or involve the employment of Laborers or Mechanics shall require or permit any such Laborer or Mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such Laborer or Mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.
- b) *Violation; Liability for Unpaid Wages; Liquidated Damages.* In the event of any violation of the clause set forth in Section IV(a) (*Overtime Requirements*) above, Contractor and any Subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such Contractor and Subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual Laborer or Mechanic, including watchmen and guards, employed in violation of the clause set forth in Section IV(a) (*Overtime Requirements*) above, in the sum of \$27 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in Section IV(a) (*Overtime Requirements*) above.
- c) *Withholding for Unpaid Wages and Liquidated Damages.* Unit shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by Contractor or Subcontractor under any such contract or any other federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such Contractor or Subcontractor for unpaid wages and liquidated damages as provided in Section IV(b) (*Violation; Liability for Unpaid Wages; Liquidated Damages*) of this section.
- d) *Subcontracts.* Contractor or Subcontractor shall insert in any Subcontract the clauses set forth in Sections IV(a) through IV(d) and also a clause requiring the Subcontractors to include these clauses in any lower Tier Subcontracts. Contractor shall be responsible for compliance by any first Tier Subcontractor or lower Tier Subcontractor with the clauses set forth in Sections IV(a) through IV(d).
- e) *Payroll and Records.* Contractor or Subcontractor shall maintain payrolls and basic payroll records during the course of the work and shall preserve them for a period of three years from the completion of the Contract for all Laborers and Mechanics, including guards and watchmen, working on the Contract. Such records shall contain the name and address of each such employee, Social Security number, correct classifications, hourly rates of wages paid, daily and weekly number of hours worked, deductions made, and actual wages paid. Records to be maintained under this provision shall be made available by Contractor or Subcontractor for inspection, copying, or transcription by authorized representatives of the Department of the Treasury and the Department of Labor, and Contractor or Subcontractor will permit such representatives to interview employees during working hours on the job.

- a) *Exceptions.* None of the requirements of Section IV of this Addendum shall apply if this Contract is a Contract (1) for transportation by land, air, or water; (2) for the transmission of intelligence; (3) for the purchase of supplies or materials or articles ordinarily available in the open market; or (4) in an amount that is equal to or less than \$100,000.

V. Rights to Inventions Made under a Contract or Agreement

- a) The Government reserves a royalty-free, non-exclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for "Government purposes", any subject data or copyright described below.¹¹ "Government purposes," means use only for the direct purposes of the Government. Without the copyright owner's consent, the Government may not extend its Federal license to any other party.
 - i. Any subject data developed under the Contract, whether or not a copyright has been obtained; and
 - ii. Any rights of copyright purchased by Contractor using Federal assistance funded in whole or in part by the Department of the Treasury.
- b) Unless Treasury determines otherwise, a Contractor performing experimental, developmental, or research work required as part of this Contract agrees to permit Treasury to make available to the public, either (1) Department of the Treasury's license in the copyright to any subject data developed in the course of the Contract, or (2) a copy of the subject data first produced under the Contract for which a copyright has not been obtained. If the experimental, developmental, or research work, which is the subject of this Contract, is not completed for any reason whatsoever, all data developed under the Contract shall become subject data as defined herein and shall be delivered as the Government may direct.
- c) Unless prohibited by North Carolina law, upon request by the Government, Contractor agrees to indemnify, save, and hold harmless the Government, its officers, agents, and employees acting within the scope of their official duties against any liability, including costs and expenses, resulting from any willful or intentional violation by Contractor of proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the Contract. Contractor shall be required to indemnify the Government for any such liability arising out of the wrongful act of any employee, official, or agent of the Contractor.
- d) Nothing contained in this clause shall imply a license to the Government under any patent or be construed as affecting the scope of any license or other right otherwise granted to the Government under any patent.
- e) Data developed by Contractor and financed entirely without using Federal assistance provided by the Federal Government that has been incorporated into work required by the underlying Contract is exempt from the requirements herein, provided that Contractor identifies those data in writing at the time of delivery of the Contract work. The Contractor agrees to include these requirements in each Subcontract for experimental, developmental, or research work financed in whole or in part with Federal assistance.
- f) For the purposes of this Section V, "subject data" means "recorded information, whether or not copyrighted, that is delivered or specified to be delivered as required by the Contract." Examples of "subject data" include, but are not limited to "computer software, standards,

specifications, engineering drawings and associated lists, process sheets, manuals, technical reports, catalog item identifications, and related information, but do not include financial reports, cost analyses or other similar information used for performance or administration of the Contract.”

VI. Clean Air Act and Federal Water Pollution Act

- a) *Clean Air Act.* Contractor agrees to comply with all applicable standards, orders and regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401 et seq. Contractor agrees to report each violation to Unit and understands and agrees that Unit will, in turn, report each violation as required to the U.S. Department of the Treasury and the appropriate Environmental Protection Agency Regional Office. Contractor agrees to include these requirements in each Subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by Treasury.
- b) *Federal Water Pollution Control Act.* Contractor agrees to comply with all applicable standards, orders, and regulations issued pursuant to the Federal Water Pollution Control Act, as amended, 33 U.S.C. §§ 1251 et seq. Contractor agrees to report each violation to Unit and understands and agrees that Unit will, in turn, report each violation as required to assure notification to the U.S. Department of the Treasury and the appropriate Environmental Protection Agency Regional Office. Contractor agrees to include these requirements in each Subcontract exceeding \$150,000 financed in whole or in part with Federal assistance provided by Treasury.

VII. Debarment and Suspension

- a) Due to its receipt of Fiscal Recovery Funds, Unit is a participant in a nonprocurement transaction (defined at 2 C.F.R. § 180.970) that is a covered transaction pursuant to 2 C.F.R. § 180.210 and 31 C.F.R. § 19.210. Therefore, this Contract is a lower-Tier covered transaction for purposes of 2 C.F.R. Part 180 and 31 C.F.R. Part 19 if (1) the amount of this Contract is greater than or equal to \$25,000 (2 C.F.R. § 180.220(b)(1); 31 C.F.R. § 19.220(b)(1)); (2) the Contract requires the consent of an official of the Department of the Treasury (2 C.F.R. § 180.220(b)(2); 31 C.F.R. § 19.220(b)(2)); or (3) this Contract is for federally-required audit services (2 C.F.R. § 180.220(b)(3); 31 C.F.R. § 19.220(b)(3)).
- b) **If this Contract is a covered transaction as set forth in Section VII(a) above, Contractor hereby certifies as of the date hereof that Contractor, Contractor’s principals (defined at 2 C.F.R. § 180.995), and the affiliates (defined at 2 C.F.R. § 180.905) of both Contractor and Contractor’s principals are not excluded (defined at 2 C.F.R. § 180.935) and are not disqualified (defined at 2 C.F.R. § 180.935). If any of the foregoing persons are excluded or disqualified and the Secretary of the Treasury has not granted an exception pursuant to 31 C.F.R. § 19.120(a), (1) this Contract shall be void, (2) Unit shall not make any payments of Federal financial assistance to Contractor, and (3) Unit shall have no obligations to Contractor under this Contract.**
- c) Contractor must comply with 2 C.F.R. Part 180, Subpart C, and 31 C.F.R. Part 19, and must include a requirement to comply with these regulations in any lower-Tier covered transaction into which it enters.¹⁵ This certification is a material representation of fact relied upon by Unit and all liability arising from an erroneous representation shall be borne solely by Contractor.

- d) If it is later determined that Contractor did not comply with 2 C.F.R. Part 180, Subpart C and 31 C.F.R. Part 19, in addition to remedies available to Unit, the Government may pursue available remedies, including but not limited to suspension and/or debarment.

VIII. Byrd Anti-Lobbying Amendment

- a) Contractor certifies to Unit, and Contractor shall cause each Tier below it to certify to the Tier directly above such Tier, that it has not used and will not use Federally appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, officer or employee of Congress, or an employee of a Member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. § 1352. Contractor shall, and shall cause each Tier below it, to disclose any lobbying with non-Federally appropriated funds that takes place in connection with obtaining any Federal award. Such disclosures (to be set forth on Standard Form-LLL contained in 31 C.F.R. Part 21, Appendix B) shall be forwarded from Tier to Tier up to the Unit which will, in turn, forward the certification(s) to the Department of the Treasury. Contractor shall cause the language of this Section VIII(a) to be included in all Subcontracts. This certification is a material representation of fact upon which Unit has relied when entering into this Contract and all liability arising from an erroneous representation shall be borne solely by Contractor.
- b) Contractors that bid or apply for a contract exceeding \$100,000 (including this Contract, if applicable) also must file with Unit the certification in Attachment 1 to this Addendum, which is attached hereto and incorporated herein.
- c) Contractor also shall cause any Subcontractor with a Subcontract (at any Tier) exceeding \$100,000 to file with the Tier above it the certification in Attachment 1 to this Addendum, which is attached hereto and incorporated herein.

IX. Procurement of Recovered Materials

- a) Section IX(b) shall apply if (1) this Contract involves the purchase of an item designated by the Environmental Protection Agency ("EPA") in 40 C.F.R. Part 247 that exceeds \$10,000, or (2) the total value of such designated items acquired during the Unit's preceding fiscal year exceeded \$10,000.
- b) In the performance of the Contract, Contractor shall make maximum use of products containing recovered materials that are EPA-designated items unless the product cannot (1) be acquired competitively within a timeframe providing for compliance with the Contract performance schedule, (2) meet Contract performance requirements; or (3) at a reasonable price. Information about this requirement, along with the list of EPA-designated items, is available at EPA's website. Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act.

X. Prohibition on Contracting for Covered Telecommunications Equipment or Services

- a) *Definitions.* Unless otherwise defined in this Contract, capitalized terms used in this Section IX shall have the meanings ascribed thereto in this Section IX(a):
- i. "Backhaul" means intermediate links between the core network, or backbone network, and the small subnetworks at the edge of the network (e.g., connecting cell

phones/towers to the core telephone network). Backhaul can be wireless (e.g., microwave) or wired (e.g., fiber optic, coaxial cable, Ethernet).

- ii. *“Covered Foreign Country”* means the People’s Republic of China.
- iii. *“Covered Telecommunications Equipment or Services”* means: (a) telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities); (b) for the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities); (c) telecommunications or video surveillance services provided by such entities or using such equipment; or (d) telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a Covered Foreign Country.
- iv. *“Critical Technology”*²⁰ means (1) defense articles or defense services included on the United States Munitions List set forth in the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations; (2) items included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations, and controlled (a) pursuant to multilateral regimes, including for reasons relating to national security, chemical and biological weapons proliferation, nuclear nonproliferation, or missile technology; or (b) for reasons relating to regional stability or surreptitious listening; (3) specially designed and prepared nuclear equipment, parts and components, materials, software, and technology covered by part 810 of title 10, Code of Federal Regulations (relating to assistance to foreign atomic energy activities); (4) nuclear facilities, equipment, and material covered by part 110 of title 10, Code of Federal Regulations (relating to export and import of nuclear equipment and material); (5) select agents and toxins covered by part 331 of title 7, Code of Federal Regulations, part 121 of title 9 of such Code, or part 73 of title 42 of such Code; or (6) emerging and foundational technologies controlled pursuant to section 1758 of the Export Control Reform Act of 2018 (50 U.S.C. § 4817).
- v. *“Interconnection Arrangements”* means arrangements governing the physical connection of two or more networks to allow the use of another’s network to hand off traffic where it is ultimately delivered (e.g., connection of a customer of telephone provider A to a customer of telephone company B) or sharing data and other information resources.
- vi. *“Roaming”* means cellular communications services (e.g., voice, video, data) received from a visited network when unable to connect to the facilities of the home network either because signal coverage is too weak or because traffic is too high.
- vii. *“Substantial or Essential Component”* means any component necessary for the proper function or performance of a piece of equipment, system, or service.

- viii. *“Telecommunications Equipment or Services”* means telecommunications or video surveillance equipment or services, such as, but not limited to, mobile phones, land lines, internet, video surveillance, and cloud services.

b) Prohibitions.

- i. Section 889(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232 and 2 C.F.R. § 200.216 prohibit the head of an executive agency on or after August 13, 2020, from obtaining or expending grant, cooperative agreement, loan, or loan guarantee funds on certain telecommunications products or from certain entities for national security reasons.
- ii. Unless an exception in Section X(c) applies, Contractor and any Subcontractors may not use grant, cooperative agreement, loan, or loan guarantee funds (including, without limitation, Fiscal Recovery Funds) received from a Federal government to:
 - 1. Procure or obtain any equipment, system, or services that uses Covered Telecommunications Equipment or Services as a Substantial or Essential Component of any system, or as Critical Technology of any system;
 - 2. Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses Covered Telecommunications Equipment or Services as a Substantial or Essential Component of any system, or as Critical Technology of any system;
 - 3. Enter into, extend, or renew contracts with entities that use Covered Telecommunications Equipment or Services as a Substantial or Essential Component of any system, or as Critical Technology as part of any system; or
 - 4. Provide, as part of its performance of this Contract, any Subcontract, any contractual instrument, or any equipment, system, or service that uses Covered Telecommunications Equipment or Services as a Substantial or Essential Component of any system or as Critical Technology as part of any system.

c) Exceptions.

- i. This clause does not prohibit Contractor or Subcontractors from providing:
 - 1. A service that connects to the facilities of a third-party, such as Backhaul, Roaming, or Interconnection Agreements; or
 - 2. Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.
- ii. By necessary implication and regulation, the prohibitions also do not apply to:
 - 1. Covered telecommunications equipment that:

a. Is not used as a Substantial or Essential Component of any system;
and

b. Is not used as Critical Technology of any system.

2. Other telecommunications equipment or services that are not considered Covered Telecommunications Equipment or Services.

d) Reporting Requirement

i. In the event Contractor identifies, during contract performance, covered Telecommunications Equipment or Services used as a Substantial or Essential Component of any system, or as Critical Technology as part of any system, during Contract performance, or if Contractor is notified of such by a Subcontractor at any Tier or by any other source, Contractor shall report the information in paragraph (d)(2) of this Section X to Unit, unless procedures for reporting the information are elsewhere established in this Contract.

ii. Contractor shall report the following information to Unit pursuant to paragraph (d)(1) of this Section X:

1. Within one business day from the date of such identification or notification: contract number; order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.

2. Within ten business days of submitting the information in paragraph (d)(2)(i) of this Section: any further available information about mitigation actions undertaken or recommended. In addition, contractor shall describe the efforts it undertook to prevent use or submission of Covered Telecommunications Equipment or Services, and any additional efforts that will be incorporated to prevent future use or submission of Covered Telecommunications Equipment or services.

e) Subcontractor. Contractor shall cause to be inserted the substance of this Section X, including this paragraph (e), in all Subcontracts and other contractual instruments relating to the performance of this Contract.

XI. Domestic Preferences for Procurements

a) As applicable, and to the extent consistent with law, Contractor should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products or materials Produced in the United States. This includes, but is not limited to iron, aluminum, steel, cement, and other Manufactured Products. Contractor shall cause any Subcontractors to include the requirements of this Section XI in any Subcontracts.

b) For purposes of this Section XI, the following terms shall mean:

- i. *“Produced in the United States”* means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coating, occurred in the United States.
- ii. *“Manufactured Products”* means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

XII. Solicitation of Minority and Women-Owned Business Enterprises

- a) If Contractor intends to let any Subcontracts, Contractor shall (1) place qualified small and minority businesses and women’s business enterprises on its solicitation lists; (2) assure that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources; (3) divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises; (4) establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises; (5) use the services and assistance, as appropriate, of the Small Business Administration, the Minority Business Development Agency of the Department of Commerce, and the North Carolina Office for Historically Underutilized Businesses.
- b) For the purposes of Section XII(a), an entity shall qualify (1) as a “minority business” or “women’s business enterprise” if it is currently certified as a North Carolina “historically underutilized business” under Chapter 143, Section 143-128.4(a) of the N.C. General Statutes (hereinafter G.S.), and (2) as a “small business” if it is independently owned and operated and is qualified under the Small Business Administration criteria and size standards at 13 C.F.R. Part 21.

XIII. Access to Records

- a) Contractor agrees to provide Unit, the Department of the Treasury, the Treasury Office of Inspector General, the Government Accountability Office, and the Comptroller General of the United States, or any authorized representatives of these entities access to any records (electronic and otherwise) of Contractor which are directly pertinent to this Contract to conduct audits or any other investigation. Contractor agrees to permit any of the foregoing parties to reproduce such records by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.
- b) Contractor agrees to retain all records covered by this Section XIII through December 31, 2031, or such longer period as is necessary for the resolution of any litigation, claim, negotiation, audit, or other inquiry involving the Contract.

XIV. Conflicts of Interest; Gifts and Favors

- a) Contractor understands that (1) Unit will use Fiscal Recovery Funds to pay for the cost of this Contract, and (2) the expenditure of Fiscal Recovery Funds is governed by Conflict of Interest Policy of the Unit, the Regulatory Requirements (including, without limitation, C.F.R. § 200.318(c)(1)), and North Carolina law (including, without limitation, G.S. § 14-

234(a)(1) and G.S. § 14-234.3(a)).

- b) Contractor certifies to Unit that as of the date hereof, to the best of its knowledge after reasonable inquiry, no employee, officer, or agent of Unit involved in the selection, award, or administration of this Contract (each, a "Covered Individual"), no member of a Covered Individual's immediate family, no partner of a Covered Individual, and no organization (including Contractor) which employs or is about to employ a Covered Individual, has a financial or other interest in or has received a tangible personal benefit from Contractor. Should Contractor obtain knowledge of any such interest or any tangible personal benefit described in the preceding sentence after the date hereof, Contractor shall promptly disclose the same to Unit in writing.
- c) Contractor certifies to Unit that it has not provided, nor offered to provide, any gratuities, favors, or anything of value to an officer, employee, or agent of Unit. Should Contractor obtain knowledge of the provision, or offer of any provision, of any gratuity, favor, or anything of value to an officer, employee, or agent described in the preceding sentence after the date hereof, Contractor shall promptly disclose the same to Unit in writing.

XV. Assurances of Compliance with Title VI of the Civil Rights Act of 1964

- a) Contractor and any Subcontractor, or the successor, transferee, or assignee of Contractor or any Subcontractor, shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 C.F.R. Part 22, which are herein incorporated by reference and made a part of this Contract. Title VI also provides protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by Treasury's Title VI regulations, 31 C.F.R. Part 22, and herein incorporated by reference and made a part of this Contract.

XVI. Other Non-Discrimination Statutes. Contractor acknowledges that Unit is bound by and agrees, to the extent applicable to Contractor, to abide by the provisions contained in the federal statutes enumerated below, and any other federal statutes and regulations that may be applicable to the expenditure of Fiscal Recovery Funds:

- a) The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- c) The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- d) Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities,

and services provided or made available by state and local governments or instrumentalities or agencies thereto.

XVII. Termination for Cause or Convenience

The Unit, by written notice, may terminate this contract, in whole or in part, when it is in the Unit's interest. If this contract is terminated, the Unit shall be liable only for payment under the payment provisions of this contract for services rendered before the effective date of termination.

The Unit may, by written notice of default to the Contractor, terminate this contract in whole or in part if the Contractor fails to:

- i. Deliver the supplies or to perform the services within the time specified in this contract or any extension;
- ii. Make progress, so as to endanger performance of this contract; or
- iii. Perform any of the other provisions of this contract.

The Unit's right to terminate this contract may be exercised if the Contractor does not cure such failure within 10 days (or more if authorized in writing by the Unit) after receipt of the notice from the Unit specifying the failure.

If the Unit terminates this contract in whole or in part, it may acquire, under the terms and in the manner the Unit considers appropriate, supplies or services similar to those terminated. However, the Contractor shall continue the work not terminated.

If this contract is terminated for default, the Unit may require the Contractor to transfer title and deliver to the Unit any (1) completed supplies, and (2) partially completed supplies and materials, parts, tools, dies, jigs, fixtures, plans, drawings, information, and contract rights (collectively referred to as "materials" in this clause) that the Contractor has specifically produced or acquired for the terminated portion of this contract. Upon direction of the Unit, the Contractor shall also protect and preserve property in its possession in which the Unit has an interest.

The Unit shall pay contract price for completed supplies delivered and accepted. The Unit may withhold from these amounts any sum the Unit determines to be necessary to protect the Unit against loss because of outstanding liens or claims of former lien holders.

The rights and remedies of the Town in this clause are in addition to any other rights and remedies provided by law or under this contract.

XVIII. Administrative, Contractual, or Legal Remedies

The Contractor shall, in a satisfactory and proper manner in accordance with industry standards, complete all obligations and duties as stipulated in this Agreement. Failure of the Contractor to perform or deliver required work, services, or reports under this Agreement may result in the withholding of payments by the Unit to the Contractor. Breach of contract disputes will be decided by arbitration, if the parties mutually agree, or in a North Carolina court of competent jurisdiction.

The Contractor understands that failure to meet the requirements under this Agreement may result in withdrawal of other state or federal funds that may have been made available to the Contractor.

XVIX. Miscellaneous

- a) **Increasing Seat Belt Use in the United States.** Pursuant to Executive Order 13043, 62 Fed. Reg. 19216 (Apr. 18, 1997), Unit encourages Contractor to adopt and enforce on-the-job seat belt policies and programs for its employees when operating company-owned, rented or personally owned vehicles.
- b) **Reducing Text Messaging While Driving.** Pursuant to Executive Order 13513, 74 Fed. Reg. 51225 (Oct. 6, 2009), Unit encourages Contractor to adopt and enforce policies that ban text messaging while driving.

XX. Conflicts and Interpretation. To the extent that any portion of this Addendum conflicts with any term or condition of the Contract expressed outside of this Addendum, the terms of this Addendum shall govern.

CONTRACTOR:

DocuSigned by:
 By: Brian Speight
 Name: Brian Speight
 Title: Sr. Vice-President

UNIT:

By: [Signature] 3/16/23
 Name: Kip Padgett
 Title: Town manager

ATTACHMENT 1
TO
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADDENDUM

APPENDIX A, 31 C.F.R. PART 21 – CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of their knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit [Standard Form-LLL](#), "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all contractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Contractor certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. Ch. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

DocuSigned by:

Brian Speight

Signature of Contractor's authorized official

Date: 2/27/2023

Brian Speight

(Print name of person signing above)

Sr. Vice-President

(Print title of person signing above)

- This form is required only for purchases of more than \$100,000 -

ATTACHMENT C



TOWN of WAKE FOREST

TITLE VI APPENDMENT for Mott MacDonald I&E, LLC

This contract amendment is made and entered into as of the 27 day of February, 2023, by the Town of Wake Forest ("Town") and Mott MacDonald I&E, LLC ("Contractor"), organized and existing under the laws of the State of North Carolina.

During the performance of this contract, the Consultant, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Town of Wake Forest (hereinafter, "Town") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, religion, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Town to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Town as appropriate and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Town shall impose such contract sanctions as it or the Town may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Town may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes

involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Town to enter into such litigation to protect the interests of the Town, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

*The Contractor has read and is familiar with the terms above:


Contractor's Initials

2/27/2023
Date

ATTACHMENT A – SCOPE OF WORK

The Town has the option of requesting a selected firm to develop a scope of work for requested municipal engineering tasks. The types of projects anticipated include but are not limited to:

- Conducting or reviewing TIAs
- Project Management
- Engineering design
- Plan Review
- Construction Inspection
- Surveying
- Other Municipal Engineering Tasks

The scope and fee will be determined separately for each assignment prior to notice to proceed, with the parties entering into a supplemental agreement as needed.

Selection by the Town for the MSA is not a guarantee that any firm will receive a project. The Town makes no guarantee of specific volume of work or a total contracted amount arising from this solicitation. This master agreement will:

- Fulfill the consultant solicitation and selection process for the work to be performed under the on-call contract; and
- Establish current hourly rates for each employee that may perform work on the contract by position class and establish a method of calculation and payment for all other direct/indirect project expenses.

Work performed under the MSA will be conducted through Supplemental Services Agreements.



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 1

DATE (MM/DD/YYYY)
02/27/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Willis of New Jersey, Inc.
c/o 26 Century Blvd
P.O. Box 305191
Nashville, TN 372305191 USA

CONTACT NAME: Willis Towers Watson Certificate Center
PHONE (A/C No. Ext): 1-877-945-7378 FAX (A/C No): 1-888-467-2378
E-MAIL ADDRESS: certificates@willis.com

INSURED
Mott MacDonald I&E, LLC
111 Wood Avenue South
Iselin, NJ 08830

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Fireman's Fund Insurance Company	21873
INSURER B: American Automobile Insurance Company	21849
INSURER C: Lloyd's Syndicate 1886	C5136
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES

CERTIFICATE NUMBER: W28127146

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC OTHER:	Y		USC016868220	06/30/2022	06/30/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY			SCV010281-22	06/30/2022	06/30/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Comp/Co11 \$ 1000
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ No	N/A	SCW022362-22	06/30/2022	06/30/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Professional Liability			B080120388P22	06/30/2022	06/30/2023	Per Claim \$1,000,000 Per Agg \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: ID_4663_501100488_Town of Wake Forest - On Call

The Town is included as an Additional Insured as respects to General Liability as per written contract or agreement.

CERTIFICATE HOLDER

Town of Wake Forest
301 S. Brooks Street
Wake Forest, NC 27587

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Policy Number: USC016868220
Named Insured: Mott MacDonald Group Inc

Sequential Endorsement Number: 4

GENERAL LIABILITY

The following General Liability Form/Endorsement(s) are amended to apply as shown:

**Courtesy Notice of Cancellation for Other Than Nonpayment of Premium to Designated Entities
 (145977 01 11)**

Name and Address of Person(s) or Organizations	Number of Days' Notice if other than 10 Days
ON FILE WITH CARRIER, AS REQUIRED BY WRITTEN CONTRACT AS PER CONTRACT AS PER CONTRACT, NJ 08830	30

**Courtesy Notice of Cancellation for Other Than Nonpayment of Premium to Designated Entities -
145977 01 11 Schedule**

Name and Address of Person(s) or Organizations	Number of Days Notice if other than 10 Days:
As on File with Broker	60

(If no entry appears above, information required to complete this Endorsement will be shown in the Declarations as applicable to this Endorsement.) This policy is amended as follows:

- A. If We cancel this policy prior to expiration for any reason other than non payment of premium or at Your request, and we have been notified that You are required under a current contractual obligation to notify a certificate of insurance holder or holders when this policy is canceled, then We will endeavor to mail or deliver a copy of such written notice of cancellation to the certificate holder(s) shown in the Schedule above, as follows:
1. To the name and address corresponding to each certificate of insurance holder indicated in the Schedule above; and
 2. At least 10 days prior to the effective date of the cancellation, as shown in our notice to the first Named Insured, or, if indicated, the longer number of days notice shown in the Schedule above.
- B. Notwithstanding the foregoing, such notice of cancellation is provided on an informational basis and solely to assist You in informing the certificate of insurance holder(s) in advance of pending cancellation in coverage to assist you in meeting Your contractual notice requirements to such parties. Our failure to provide such advance notification to the certificate of insurance holder(s) shown in the Schedule of this endorsement will not extend any policy cancellation date, negate any cancellation of the policy, or grant, alter or extend any rights or obligations under this policy and we shall have no liability for any failure to provide the notice(s) as provided herein.

All other terms and conditions of this policy remain unchanged

INSURER CANCELLATION TERMS

NAMED INSURED See Page 1	POLICY NO. SCW022362-22 EFFECTIVE DATE 06/30/2022 SEE PAGE 1
--	--

Holder Name: See Page 1

Project:

Cancellation Terms:

Should any of the above described policies be cancelled before the expiration date thereof, the insurer will send 30 days notice of cancellation to the Certificate Holder, but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.

Cancellation Terms Apply to the Following Coverages:

Workers Compensation

Standard Matters

21. In relation to every **Standard Matter**:

- a. the **Assured** shall have the right itself to deal with the claim or circumstance;
 - i. as long as the claim or circumstance remains a **Standard Matter**;
 - ii. the **Assured** will investigate and defend that claim or circumstance at its own cost; and
 - iii. the **Assured** shall be at liberty to settle the claim or circumstance at a sum not exceeding GBP 1,000,000 (including the costs, fees and expenses of investigating, defending and settling the matter) and the cost of such settlement shall reduce the Aggregate **Self-Insured Retention** and shall be applied as set out in clause 9. above.

Termination

22. If the **Assured** fails to pay the Premium or any instalment of Premium in accordance with the Premium Payment Clause LSW 3001 attached and fails to make good that failure in full within fifteen days of written demand from Insurers then Insurers may at any time thereafter before the Premium or relevant instalment has been paid, cancel this Agreement in accordance with LSW 3001.

23. In the event of cancellation under the preceding clause:

- a. Insurers shall remain on risk for claims made and circumstances notified before the cancellation became effective;
- b. the **Assured** shall remain liable for payment of part of the Premium on a pro rata basis for the period that Insurers are on risk; and
- c. the full Premium shall remain payable to Insurers and such Premium may be retained by them pending resolution of all claims and circumstances notified to Insurers before the date of termination whereupon that sum shall be returned to the **Assured** after deduction of a sum equal to (i) the costs incurred by Insurers in investigating defending and settling any claims or circumstances or (ii) (if greater) the sum calculated in accordance with clause 23.b.
- d. In respect of those companies of the **Assured** that are domiciled in the United States of America or Canada, Insurers agree to provide 30 days Notice of Cancellation to the employers and/or principals in respect of those contracts undertaken by such companies and which have been declared to Insurers

24. If any request for indemnity is made by the **Assured** and the same is fraudulent as regards the amount or otherwise then Insurers may terminate this Agreement by written notice to the **Assured** and by refunding to the **Assured** all the Premium previously paid to the Insurer in respect of this Agreement. Termination by virtue of this clause 24, shall

Attachment B - Hourly Rate Sheet

501100059 Wake Forest Billing Rates			
		2023 Rate	
	Office Overhead Rate	174.40%	
	Field Overhead Rate	148.18%	
	Cost of Capital	0.10%	
	Fee	9.00%	
Employee			
Name	Title	Raw Rate	Loaded Rate
Adam Gosselin	Principal - Construction	\$105.80	\$316.55
	CEI Tech 1	\$28.78	\$77.88
	CEI Tech 2	\$31.66	\$85.68
	CEI Tech 3	\$34.83	\$94.26
	CEI Tech 4	\$39.40	\$106.62
	CEI Tech 5	\$44.13	\$119.42
	CEI Project Engineer	\$48.00	\$129.90
David Pegram	Rail Construction PM	\$48.42	\$144.87
Aileen Mayhew	Principal - Planning	\$78.18	\$233.91
	Planner IV		\$0.00
Scott Stevens	Principal Pavement Management	\$85.09	\$254.59
Tracy Pilson	Pavement Management PM	\$49.50	\$148.10
Greg Burns	Principal - Transportation	\$98.21	\$293.84
Travis Braswell	Principal - Traffic	\$77.95	\$233.22
Daniel Fowler	Engineer III	\$39.03	\$116.78
Janet Whetsone-Perez	Engineer IV	\$50.49	\$151.06
Meredith Van Dunn	Principal - Transportation	\$83.15	\$248.78
Katharine Mather	Planner IV	\$43.33	\$129.64
Ellen Holding	Graphic Designer	\$51.07	\$152.80

*Employee Rates are updated every January, Provided is as of 01/2023

**CEI Techs are billed at Field Overhead Rate

***Overhead rates were approved by NCDOT 7.29.2022



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-315-

Submitted by: Allison Snyder

Submitting Department: Engineering

Meeting Date: November 21, 2023

SUBJECT

Approval of reimbursement agreement between the Town of Wake Forest and Taylor Morrison of Carolinas, Inc.

Recommendation:

Approve agreement to go into a reimbursement agreement for a traffic signal at Middlegame Way/Bowling Forest Drive and Hwy 98/Wait Avenue

Item Summary:

ATTACHMENTS

- [MiddlegameSignalReimbursement_Summary.docx](#)
- [AttachmentA_TownofWakeForestHWY98RadfordGlenReimbursementAgreementandResolution.docx](#)
- [Attachment B_Budget.pdf](#)
- [AttachmentC_CIP Item.pdf](#)

Agenda Item: Discussion of an upcoming Reimbursement Agreement between the Town of Wake Forest and Taylor Morrison of Carolina, Inc.

Summary:

Staff has worked with Taylor Morrison and the Develop of Radford glen to widen HWY 98 and install a traffic signal at Middlegame Way and Hwy98/Wait Ave. Pursuant to NCGS 160A-499 and NCGS 160A-309 the project is in our Capital Improvement Program. Taylor Morrison has provided cost estimates and data for staff to review. Staff determined the cost for this work to be performed to be a reasonable estimate and for less funding than if the Town performs the work on our own. The reimbursement agreement outlines that the Town's Transportation Engineer and the Town's Chief Financial Officer will need to approve any changes to the estimate.

Based on the estimate the total cost for the improvements is not exceed \$473,960.00. Payment will begin 60 days after completion of the project.

This work is expected to begin prior to June 1, 2024, with finalization concluding prior to June 1, 2026, with some extension allows by both parties by written agreement.

Attachments:

Attachment A: Town of Wake Forest HWY 98 Radford Glen Reimbursement Agreement and Resolution

Attachment B: Budget

Attachment C: CIP Item

RESOLUTION 2023-__

RESOLUTION OF THE BOARD OF
COMMISSIONERS OF THE TOWN OF WAKE
FOREST TO CONTRACT WITH AND
APPROPRIATE MONEY TO TAYLOR MORRISON
OF CAROLINAS, INC. FOR MUNICIPAL
INFRASTRUCTURE IMPROVEMENTS

WHEREAS, pursuant to N.C.G.S. § 160A-499, the Town of Wake Forest, North Carolina (the "Town") may enter into reimbursement agreements with private developers for the design and construction of municipal infrastructure included on the Town's Capital Improvement Plan and serving the developer, including, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, and other associated facilities.

WHEREAS, pursuant to N.C.G.S. § 160A-309, the Town may contract with a developer or property owner, or with a private party who is under contract with the developer or property owner, for public intersection or roadway improvements that are adjacent or ancillary to a private land development project.

WHEREAS, Taylor Morrison of Carolinas, Inc., a North Carolina corporation (the "Developer"), is the owner of that certain tract(s) of land located on N.C. Highway 98 (the "Property"), which Developer intends to develop for residential purposes, as shown on a plan approved by the Town's Planning Department labeled "Radford Glen Subdivision", dated December 7, 2020 (the "Project").

WHEREAS, the Developer is required by the Town to construct a widening/expansion of N.C. Highway 98 as shown on Exhibit A attached hereto and incorporated herein by this reference, together with associated improvements, including without limitation, drainage facilities, water utilities, adjacent sidewalks, streetlights, planting strips, irrigation, and street trees (collectively, the "Improvements") in order to facilitate traffic flow within, and adjacent to, the Project.

WHEREAS, the Town's 2020-2025 Capital Improvement Plan includes the Improvements as a necessary project that will provide improved traffic flow for the community.

WHEREAS, the Town has determined that the cost to the Town in reimbursing the Developer for the design and construction of the Improvements would cost less than if the Town were to design and construct the Improvements through a contract pursuant

to N.C.G.S. § 143-128 *et. seq.*

WHEREAS, N.C.G.S. § 160A-20.1 enables the Town to contract with and appropriate money to any person, association, or corporation, in order to carry out any public purpose that the Town is authorized by law to engage in.

WHEREAS, in order to facilitate the completion of the Improvements and to derive the public benefits resulting therefrom, the Town intends to appropriate Four Hundred and Seventy-three Thousand, Nine Hundred and Sixty and 00/100 Dollars (\$473,960.00) (the "Project Budget") towards the design, engineering and construction of the Improvements, subject to the terms and conditions of the Infrastructure Reimbursement Agreement attached hereto as Exhibit B and incorporated herein by this reference (the "Reimbursement Agreement"). The Developer intends to appropriate Twenty-Five Thousand Dollars (\$25,000) towards the design, engineering, and construction of the Improvements. Subject to the Reimbursement Cap (as defined below) and the terms of the Reimbursement Agreement, the Town shall be responsible for any additional costs necessary to close the Improvements in excess of the Project Budget. The Town agrees that the maximum Developer contribution shall be Twenty-Five Thousand Dollars (\$25,000).

WHEREAS, the Developer will submit a written request to amend the Project Budget to the Town's Transportation Engineer and the Town's Chief Financial Officer, at which time the Town's Chief Financial Officer will authorize an increase in the Project Budget for an amount not to exceed Four Hundred, Ninety-Eight Thousand, Nine Hundred and Sixty and No/100 Dollars (\$498,960.00) (the "Reimbursement Cap"), subject to the terms and conditions set forth in the Reimbursement Agreement.

WHEREAS, The Town agrees that the Developer will be allowed to, plat, permit, and obtain certificates of occupancy for homes on up to one hundred (100) lots within the Project prior to the need for the Improvements to be completed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest that the terms of the Reimbursement Agreement, including without limitation the Project Budget and the Reimbursement Cap, are hereby approved.

This the _____ day of _____ 2023.

Motion by: _____

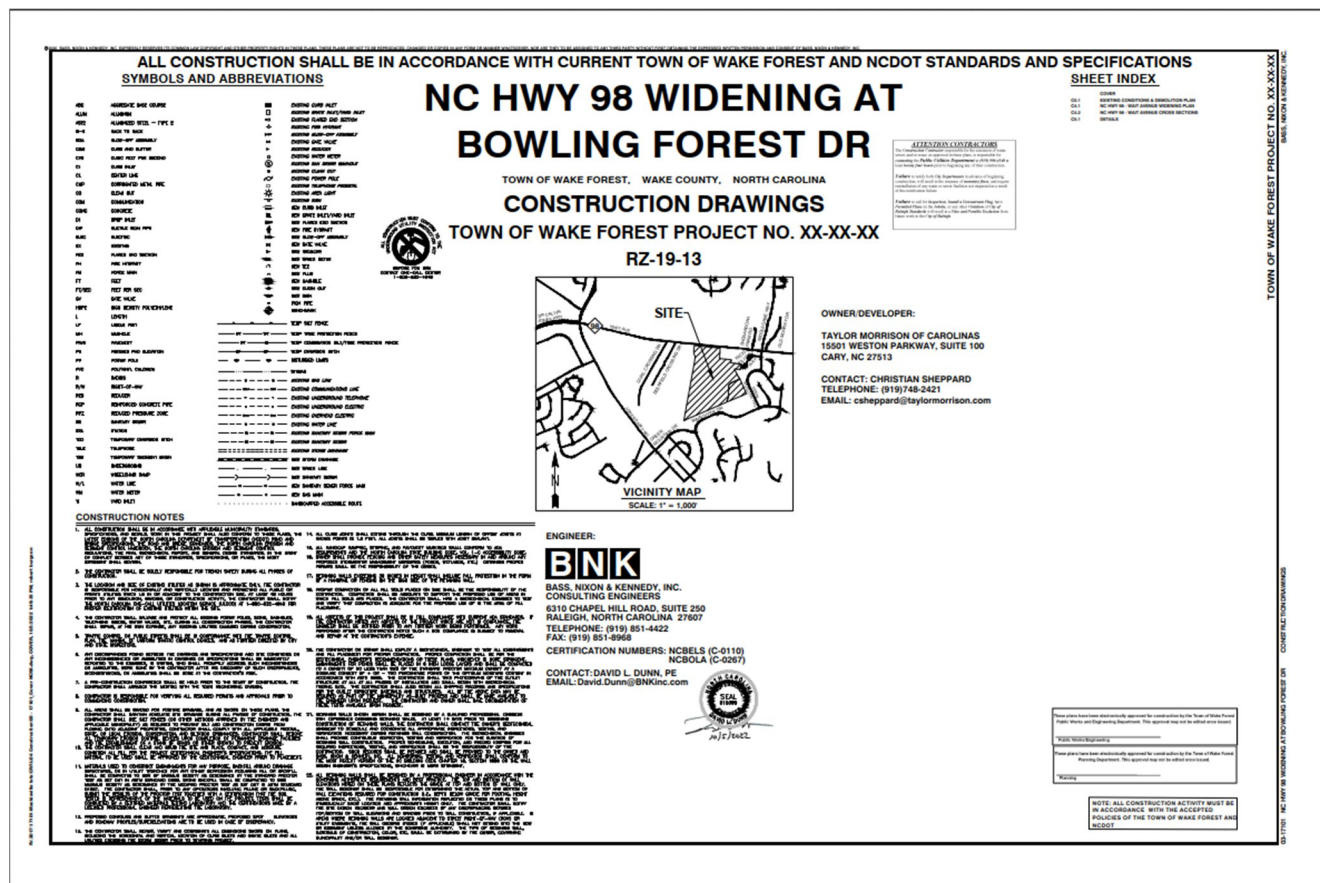
Second by: _____

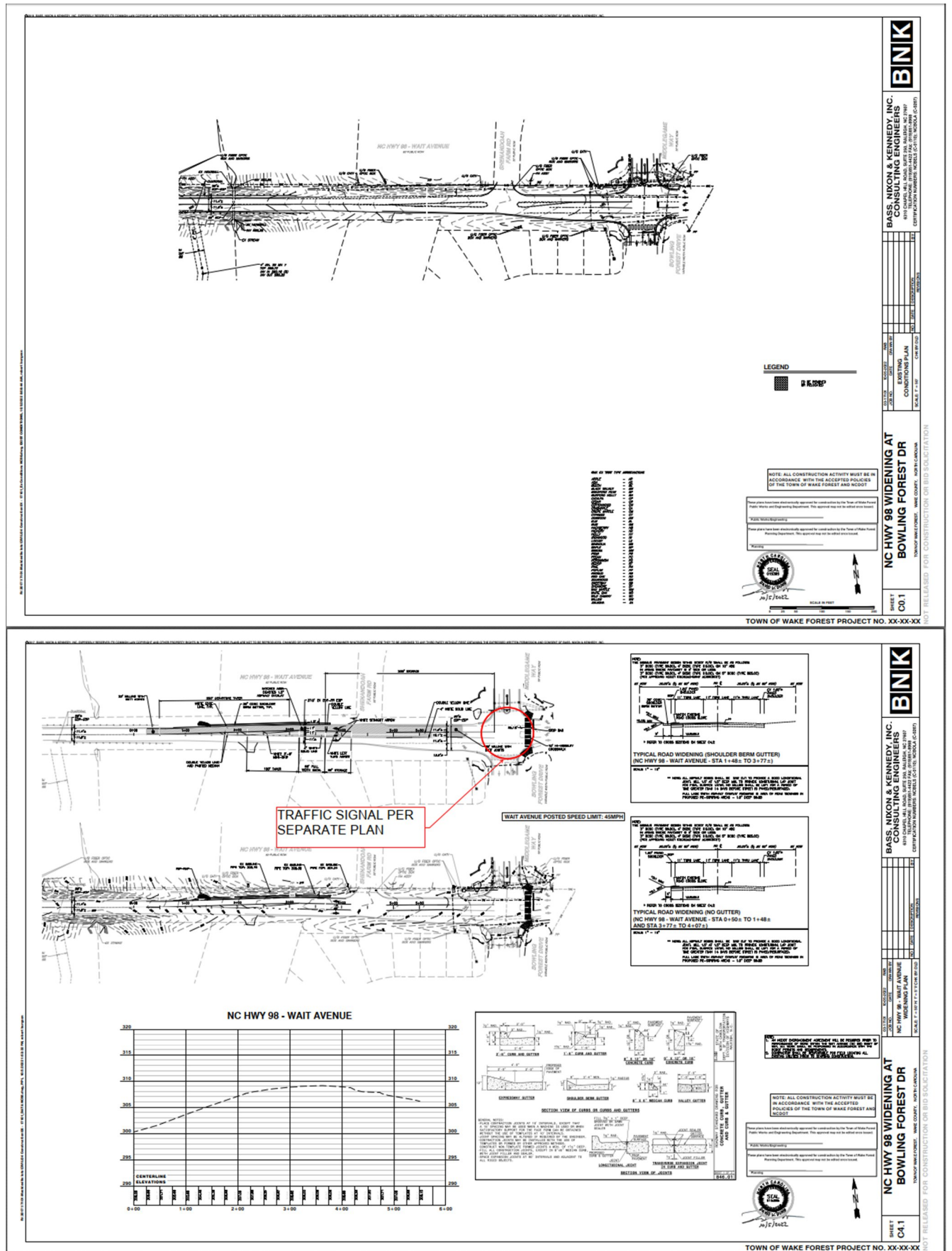
Vivian A Jones
Mayor:

ATTEST:

Theresa Savary
Town Clerk

NC HWY 98 WIDENING AT BOWLING FOREST DR





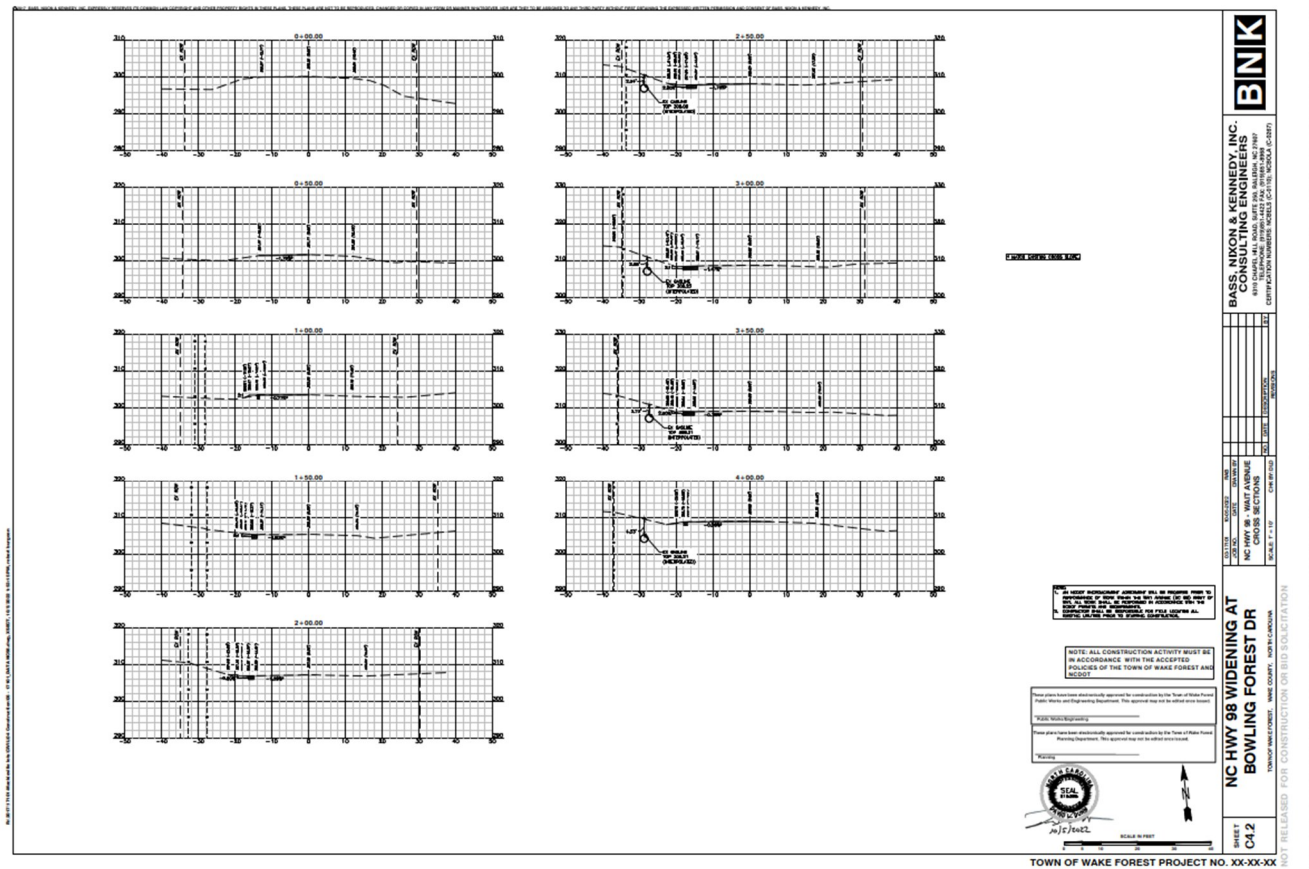


EXHIBIT B

[REIMBURSEMENT AGREEMENT ATTACHED]

STATE OF NORTH CAROLINA COUNTY OF WAKE

INFRASTRUCTURE REIMBURSEMENT AGREEMENT

This INFRASTRUCTURE REIMBURSEMENT AGREEMENT (this "Agreement") is made and entered into this ____ of _____ 2023 (the "Effective Date") by and between the TOWN OF WAKE FOREST, a North Carolina municipal corporation (the "Town") and TAYLOR MORRISON OF CAROLINAS, INC., a North Carolina corporation (the "Developer").

WITNESSETH:

WHEREAS, the Developer is the owner of that certain tract(s) of land located on N.C. Highway 98, Wake Forest North Carolina (the "Property"), which Developer intends to develop for residential purposes, as shown on a plan approved by the Town's Planning Department labeled "Radford Glen Subdivision", dated December 7, 2020 (the "Project");

WHEREAS, the Developer is required to construct certain Road Improvements (defined below) in order to facilitate traffic flow within, and adjacent to, the Project;

WHEREAS, construction of the Road Improvements would not only benefit the Project, but would improve traffic flow in the community;

WHEREAS, pursuant to the authority granted to the Town by N.C.G.S. § 160A-499, the Town and the Developer desire to enter into this Agreement to set forth the terms and conditions relative to the Road Improvements as well as the cost participation agreed to by the Town;

WHEREAS, pursuant to N.C.G.S. § 160A-309, the Town may contract with a developer or property owner, or with a private party who is under contract with the developer or property owner, for public intersection or roadway improvements that are adjacent or ancillary to a private land development project.

WHEREAS, the Town has determined that the cost to the Town in reimbursing the Developer for the design and construction of the Road Improvements would cost less than if the Town were to design and construct the Road Improvements through a contract, pursuant to N.C.G.S. § 143-128 *et. seq.*;

WHEREAS, as required by N.C.G.S. § 160A-499, the Road Improvements are included in the Town's Capital Improvement Plan and the Town has enacted ordinances setting forth procedures and terms under which reimbursement agreements may be approved;

WHEREAS, as required by N.C.G.S. § 160A-309, the Town has enacted ordinances setting forth procedures, requirements, and terms for agreements which reimbursement may be approved;

WHEREAS, the Town is authorized to enter into this Agreement pursuant to N.C.G.S. § 160A-16, and may contract with the Developer to carry out the public purposes set forth herein pursuant to N.C.G.S. §160A-20.1 and the Town's Board of Commissioners has determined that it is in the best interests of its citizens to do so;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein the Town and the Developer agree as follows:

AGREEMENT

1. Recitals. The parties agree that the foregoing recitals are true and correct and are incorporated herein by reference.

2. The Road Improvements. The Developer hereby agrees to design and construct the Road Improvements in a good and workmanlike manner, free of liens, and in accordance with all applicable laws, codes, and ordinances. The Developer shall obtain all applicable permits and approvals necessary to complete the Road Improvements. The Town agrees to assist in expediting governmental approvals where possible. For the purposes of this Agreement, "Road Improvements" means the NC Hwy 98 Widening at Bowling Forest Drive to consist of turn lanes and a traffic signal as shown on Exhibit A attached hereto and incorporated herein by this reference, together with associated improvements, including without limitation, survey and engineering costs, drainage facilities, water utilities, adjacent sidewalks, streetlights, planting strips, irrigation, and street trees.

3. Right-of-Way Dedication. Upon completion of the Road Improvements, the Developer shall dedicate or convey, or provide for the dedication or conveyance of, the Road Improvements together with the portion of the right-of-way thereof to the North Carolina Department of Transportation (the "NCDOT"). The Road Improvements shall be subject to the NCDOT's usual and customary policies and procedures regarding acceptance (including but not limited to a one-year warranty to be provided by the Developer prior to formal acceptance by the NCDOT). The date

of final acceptance of the Road Improvements, together with the portion of the right-of-way thereof, by the NCDOT shall be referred to herein as the "Acceptance Date."

4. The Reimbursement. In consideration for the completion of the Road Improvements and the public benefits derived therefrom, the Town shall reimburse the Developer for the actual cost(s) incurred for the completion of the Road Improvements (collectively, the "Reimbursement") in accordance with the budget attached hereto as Exhibit C and incorporated herein by this reference (the "Project Budget") and subject to the Reimbursement Cap (as defined herein below). The Town will reimburse the Developer for costs of completion of the Road Improvements in excess of the Project Budget ("Excess Costs"). The Developer will submit a written request to amend the Project Budget to the Town's Transportation Engineer and the Town's Chief Financial Officer. Any written request to amend the Project Budget shall include sufficient detail to allow the Town to determine whether the proposed increase is justified, including but not limited to evidence that the cost increase is material. For the purposes of this section, a cost increase shall be considered material when it results in either an increase of over One Thousand Dollars (\$1,000) for any line item in the Project Budget or over Five Thousand Dollars (\$5,000) on a cumulative basis. Notwithstanding anything herein to the contrary, under no circumstances shall the Reimbursement exceed Four Hundred, Ninety-eight Thousand, Nine Hundred and Sixty Dollars (\$498,960.00) (the "Reimbursement Cap"). The Developer and Town understand and agree that any changes to the terms of the Reimbursement, including any increase in the Project Budget, are subject to the prior written approval of the Town's Chief Financial Officer and, if applicable, the discretion and approval of the Town's Board of Commissioners to appropriate any additional funds to the Project.

The Reimbursement shall be payable within 60-days of the completion of the improvements with the invoice sent to the Town's Transportation Engineer and the Town's Chief Financial Officer for prior written approval ("Application for Payment"). Notwithstanding the foregoing, the Town shall make available to Developer, all funds previously escrowed for the construction of the Road Improvements during construction to be disbursed as progress payments during the construction process, with the balance of the costs incurred to be reimbursed no later than 60-days after completion. For the purposes of the Reimbursement, "cost(s)" means the amount of costs actually incurred for design, engineering and construction of the Road Improvements upon final completion thereof. Excluded from the Reimbursement shall be legal fees and administrative costs (including but not limited to profit and overhead) of the Developer. For avoidance of any doubt, the Reimbursement shall be in the form of immediately available funds paid to Developer and no fee credits.

5. Maintenance. The Developer shall be responsible for maintenance of the Road Improvements at all times prior to the Acceptance Date, such maintenance

to specifically include items such as pothole repair, asphalt cracking repair, curb and gutter damage repair, and repair to any other items that may affect the integrity of the street infrastructure system.

6. Insurance. For the period of time prior to the Acceptance Date, the Developer shall maintain insurance policies with minimum limits as follows:

Coverage	Minimum Limits
Workers' Compensation	Statutory Limits
Employers' Liability	\$1,000,000
General Liability	\$1,000,000
Automobile Liability	\$500,000
Professional Liability (E & O) (If Required}	\$1,000,000

Upon request, the Developer shall provide the Town with a Certificate of Insurance. All Certificates of Insurance will require thirty (30) days written notice by the insurer or Developer's agent in the event of cancellation, reduction or other modifications of coverage. In addition to the notice requirement above, Developer shall provide the Town with immediate written notice of cancellation, reduction, or other modification of coverage of insurance. Upon failure of the Developer to provide such notice, the Developer assumes sole responsibility for all losses incurred by the Town for which insurance would have provided coverage. The insurance certificate shall be for the initial period of one (1) year and shall be renewed by the Developer throughout the period of time prior to the Acceptance Date. The Town shall be listed as certificate holder and named as an additional insured under General Liability. It is required that coverage be placed with "A" rated insurance companies acceptable to the Town. Failure to maintain the required insurance in force may be cause for termination of this Agreement. If the Developer fails to maintain and keep in force the insurance herein required, the Town has the right to cancel and terminate this Agreement without notice. The Developer shall provide proof that a Drug-Free Workplace Program is in place and that drivers meet DOT/CDL licensing requirements, if requested.

7. Notice. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given by either personal delivery or certified United States mail, return receipt requested, addressed as follows:

To the Town:
Town of Wake Forest 301 S. Brooks Street
Wake Forest, NC 27587
Attn: Town Manager

To the Developer:
Taylor Morrison of Carolinas, Inc.
15501 Weston Parkway, Suite 100
Cary, NC 27513
Attn: Mark Altman

A change of address or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this Agreement shall be deemed given at the time of actual delivery, if it is personally delivered. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever occurs first.

8. Indemnification. To the maximum extent allowed by law, the Developer shall indemnify and save harmless the Town, its agents, officers, and employees, from and against all charges that arise in any manner from, in connection with, or out of this Agreement proximately caused by the negligent acts or omissions of the Developer or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable except for damage or injury caused solely by the negligence of the Town, its agents, officers, or employees. As used in this subsection, "charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, expenses, interest, reasonable attorney's fees, and amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders. Nothing in this section shall affect any warranties in favor of the Town that are otherwise provided in or arise out of this Agreement. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this Agreement. This section shall remain in force despite termination of this Agreement (whether by expiration of the term or otherwise) and termination of the services of any supplemental agreement entered into under the Agreement.

9. Term and Termination. This Agreement shall commence upon the Effective Date and shall continue until the Town has paid the Reimbursement to the

Developer. Notwithstanding the foregoing, the Town may terminate this Agreement if either: (a) commencement of construction of the Road Improvements has not begun by June 1, 2024; or (b) the Road Improvements are not substantially completed in a good and workman-like manner in accordance with all applicable laws and the applicable standards within twenty-four (24) months following commencement, subject, however to a day for day extension of the twenty-four (24) month completion period for *Force Majeure*, as established by the Developer to the reasonable satisfaction of the Town. Notwithstanding the foregoing, the Developer may terminate this Agreement at any time upon written notice to the Town if, in its discretion, it decides not to develop the Property. "*Force Majeure*" means, as applicable, any acts of God, strikes, lockouts or other industrial disturbances, COVID-19 or other pandemics, unusual adverse weather conditions, terrorism or other acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, tornadoes, hurricanes, floods, high-water washouts, or other matters outside of the Developer's reasonable control.

10. Public Contracts. Unless otherwise noted, this Agreement is not subject to Article 8 of Chapter 143 of the North Carolina General Statutes, except that the Developer shall solicit bids in accordance with Article 8 of Chapter 143 of the General Statutes when awarding contracts for the Road Improvements that would have required competitive bidding if the contract had been awarded by the Town. For purpose of clarity, any construction work done on or behalf of the Town or NCDOT would require formal bidding (advertisement, sealed bid, and award to the lowest responsible responsive bidder) where the amount to be paid by public funds is in excess of \$500,000. For reimbursements, credits, or payments made by public funds below that amount, informal bidding rules shall apply which requires the work to have been awarded to the lowest responsible responsive bidder after three informal proposals have been received.

11. Default. The terms and conditions of this Agreement shall be enforceable by the parties by actions for specific performance or injunction in addition to any other remedies available at law or in equity, subject to any defenses that may be asserted, provided that any damages shall be limited to actual and direct damages (and neither party shall be liable hereunder for special, consequential, lost profit or punitive damages) and the non-defaulting party provides due written notice and an opportunity to cure to the defaulting party and the defaulting party fails to cure the breach within fifteen (15) days after receipt of such notice (or if such default cannot be cured within fifteen (15) days using commercially reasonable diligence, then if such party fails to commence to cure within fifteen (15) days after receipt of notice and thereafter complete such cure using commercially reasonable diligence). Any failure or omission of the non-defaulting party to exercise any right or remedy provided

herein shall not be deemed a waiver of such party's right to enforce strictly the defaulting party's obligations in any other instance.

12. Right-of-Way and/or Easement Acquisition. The Developer shall secure all necessary easements or rights-of-way for the Road Improvements that are the subject of this Agreement prior to commencement of construction of the Project. The Town agrees to assist in securing all necessary easements or rights-of-way that the Developer is unable to obtain using reasonable efforts. All costs incurred to secure all necessary easements or rights-of-way for the Road Improvements (including all amounts paid for the Bridge Port Acquisition) are to be borne by the Developer, as further set forth in the Project Budget, and subject to the Town's obligation to reimburse the Developer.

13. Relationship of the Parties. This Agreement shall not be considered to create a joint venture, partnership or other legal relationship between the parties or as giving the right of either party to legally bind the other party in any manner or to be able to incur debts or liabilities on behalf of the other party or create a condition in which either party shall share or be responsible for the debts or liabilities of the other party. This Agreement shall not be considered to constitute the appointment of either party as a representative of the other party.

14. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina. The parties hereto consent to the jurisdiction of Wake County. Furthermore, this Agreement is entered under the authority of N.C.G.S. § 160A-499 and N.C.G.S. § 160A-309, and any provision hereof in conflict with that authority shall be null and void.

15. Waiver. No action or failure to act by the Town shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.

16. Severability. If any provision of this Agreement shall be unenforceable, the remainder of this Agreement shall be enforceable to the extent permitted by law.

17. Performance of Government Functions. Nothing contained in this Agreement shall be deemed or construed in any way to stop, limit, or impair the Town from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

18. Assignment, Successors and Assigns. Without the Town's prior

written consent, the Developer shall not assign (which includes to delegate) any of its rights or duties that arise out of this Agreement. Unless the Town otherwise agrees in writing, the Developer and all assigns shall be subject to all of the Town's defenses and shall be liable for all of the Developer's duties that arise out of this Agreement and all of the Town's claims that arise out of this Agreement. Without granting the Developer the right to assign, it is agreed that the duties of the Developer that arise out of this Agreement shall be binding upon it and its heirs, personal representatives, successors, and assigns.

19. Town Policy. THE TOWN OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONTRACTORS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONTRACTORS AND VENDORS UNDER TOWN CONTRACTS.

20. EEO Provisions. During the performance of this Agreement, the Developer shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Developer shall take affirmative action to ensure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Developer shall post in conspicuous places available to employees and applicants for employment, notices setting forth these EEO provisions. All solicitations or advertisements for employees placed by or on behalf of the Developer shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap.

21. Principles of Interpretation. In this Agreement, unless the context requires otherwise, the singular includes the plural and the plural the singular. The pronouns "it" and "its" include the masculine and feminine. Reference to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The word "person" includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.

22. Captions. The captions and headings set forth in this Agreement are for convenience of reference only and shall not be construed as part of this Agreement.

23. Counterparts. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which

when so executed shall be an original, but all of which shall together constitute one (1) and the same instrument.

24. **Modifications, Entire Agreement.** A modification of this Agreement is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the Town unless the Town Manager or other duly authorized official signs it for the Town. This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this Agreement.

25. **E-Verify.** The Developer shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Developer utilizes a subcontractor, Developer shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

26. **Iran Divestment Act.** The Developer certifies that: (i) it is not identified on the Final Divestment List or any other list of prohibited investments created by the NC State Treasurer pursuant to N.C.G.S. § 143-6A-4; (ii) it will not take any action causing it to appear on any such list during the term of this Agreement, and (iii) it will not utilize any subcontractor to provide goods or services hereunder that is identified on any such list.

27. **Divestment from Companies that Boycott Israel.** Developer represents, covenants, and certifies that it is not listed on the list of restricted companies developed and published by the North Carolina State Treasurer as required by N.C.G.S. 147-86.81.

28. **Quality and Workmanship.** All work performed and/or services rendered shall be performed to the satisfaction of the Town of Wake Forest. The work performed and/or services rendered shall not be considered complete, nor applicable payments rendered, until the Town is satisfied with the work performed and/or services rendered.

29. **Non-appropriation clause.** Developer acknowledges that the Town of Wake Forest is a governmental entity, and the contract validity is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are unavailable and not appropriated for the performance of the Town of Wake Forest's obligations under this contract, then this contract shall automatically expire without penalty to the Town of Wake Forest thirty (30) days after written notice to Developer of the unavailability and non-appropriation of public funds. It is expressly

agreed that the Town of Wake Forest shall not activate this non-appropriation provision for its convenience or to circumvent the requirements of this contract, but only as an emergency fiscal measure during a substantial fiscal crisis, which affects generally its governmental operations. In the event of a change in the Town of Wake Forest's statutory authority, mandate and mandated functions, by state and federal legislative or regulatory action, which adversely affects the Town of Wake Forest's authority to continue its obligations under this contract, then this contract shall automatically terminate without penalty to the Town of Wake Forest upon written notice to Developer of such limitation or change in the Town of Wake Forest's legal authority.

30. No pledge of taxing authority. The taxing power of the Town of Wake Forest is not pledged directly or indirectly to secure any monies due under this contract.

31. No waiver of governmental immunity; Violation of law. Except for waiver of governmental immunity resulting from the execution of a valid contract, the Town of Wake Forest makes no other waiver of governmental immunity. If any provision of the Contract or Agreement is in violation of any legal, statutory or state constitutional prohibition, then such provision(s) shall be unenforceable against the Town of Wake Forest.

32. Conflict of Interest. If this is a contract for design, engineering, contract administration or similar services, the Developer will not enter into contracts or agreements with third parties that may present a potential for conflict of interest between the Town of Wake Forest and the third parties regarding the subject matter of this Contract or Agreement.

33. Public Record. This Contract or Agreement is subject to disclosure under the public records laws of the State of North Carolina.

34. Title VI. During the performance of this contract, the Developer, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Town of Wake Forest (hereinafter, "Town") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, religion, age, or disability in the selection and retention of subcontractors, including procurements of

materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Town to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Town as appropriate and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Town shall impose such contract sanctions as it or the Town may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through

(6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Town may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Town to enter into such litigation to protect the interests of the Town, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

[Remainder of Page Intentionally Blank. Signature Page Follows.]

IN WITNESS THEREOF, the parties have executed this Agreement as of the date first above written.

THE TOWN:

TOWN OF WAKE FOREST,
a, North Carolina municipal corporation

By:_____

Name:_____

Title:_____

THE DEVELOPER:

TAYLOR MORRISON OF CAROLINAS, INC.

By:_____

Name:_____

Title:_____

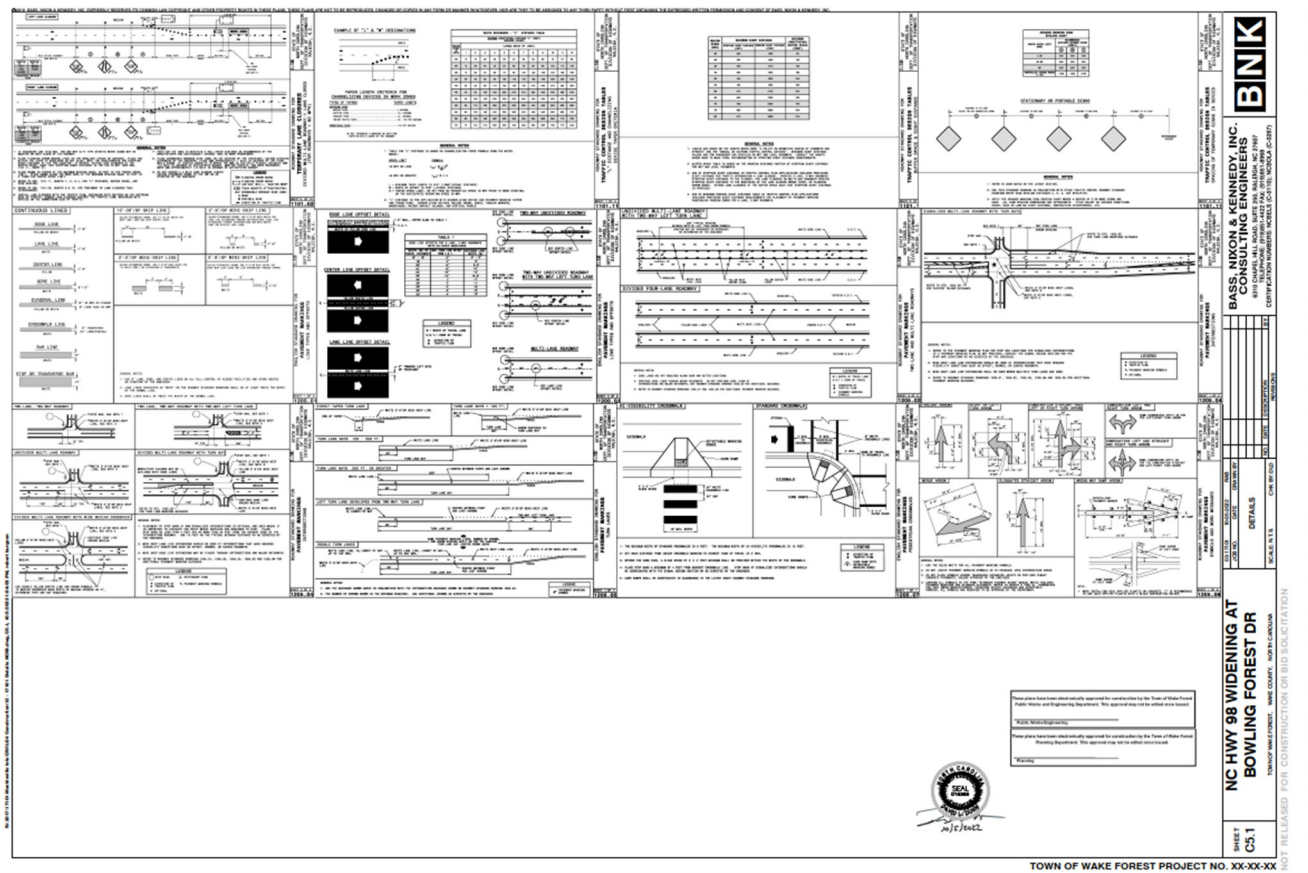


EXHIBIT C

The Project Budget

Oct-23

NC 98 WIDENING AT BOWLING FOREST DRIVE

<u>TASK</u>	<u>BUDGET</u>
SIGNAL DESIGN:	\$13,000
CIVIL DESIGN:	\$10,000
DESIGN SURVEY:	\$3,500
CONSTRUCTION SURVEY:	\$5,000
AS-BUILTS:	\$7,500
GEOTECH/TESTING:	\$8,000
PERMITS:	\$5,000
TRAFFIC SIGNAL:	\$275,000
GRADING/TRAFFIC/GEN CONDITIONS	\$33,000
E&S / DRESS OUT, ETC	\$7,000
CONCRETE	\$18,500
STONE/ASPHALT	\$45,000
STRIPING/MARKING/SIGNAGE	\$15,000
TOTAL PROJECTED COST:	\$445,500
CONTINGENCY: 12%	\$53,460
BUDGET AMOUNT:	\$498,960
DEVELOPER CONTRIBUTION:	\$25,000
PROJECTED TOWN CONTRIBUTION:	\$473,960
TOWN REIMBURSEMENT CAP:	\$498,960

**TOWN OF WAKE FOREST
CAPITAL IMPROVEMENTS PROGRAM
CIP UPDATE FY 2023-2028**

DEPARTMENT	PROJECT MANAGER	DEPARTMENTAL PRIORITY
GTP	Joe Guckavan	High

PROJECT TITLE	TYPE OF PROJECT
Traffic/Pedestrian Signals	1 - Health/Safety/Welfare
	2 - Maintenance/Replacement
	3 - Existing Programs Expansion
	4 - New Program

PROJECT DESCRIPTION
Addition of Traffic Signals at intersections that have met signal warrants or need to be studied.

JUSTIFICATION
Traffic Signals are needed at the following intersections due to increased residential development, safety concerns for motorists and pedestrians and/or shopping nearby. This is a multi-year project and the list is expected to be ongoing.

Intersections:
Wait Avenue/Middlegame - FY 23-24
Forestville/Coach Lantern - FY 23-24



PROJECT ALTERNATIVES	OPERATING IMPACT/OTHER COMMENTS
NCDOT Contribution or other funding.	Heritage Lake Road and Friendship Chapel Road to be completed by developer.

PROJECT STATUS	Continuation - FY 2021
Funds Approved to Date	Funds Expended to Date
\$ -	\$ -

CAPITAL COST BREAKDOWN	Prior to July 2023	2023-24	2024-25	2025-26	2026-27	2027-28	Future Years
Planning & Engineering	\$ -	\$ 40,000	\$ 30,000	\$ 30,000	\$ 15,000	\$ 15,000	\$ -
Construction	-	500,000	400,000	400,000	150,000	150,000	-
Contingency	-	145,000	90,000	90,000	45,000	45,000	-
Other	-	-	-	-	-	-	-
Total Project Costs	\$ -	\$ 685,000	\$ 520,000	\$ 520,000	\$ 210,000	\$ 210,000	\$ -

FUNDING SOURCE(S)	Prior to July 2023	2023-24	2024-25	2025-26	2026-27	2027-28	Future Years
General Fund	\$ -	\$ 615,000	\$ 455,000	\$ 353,000	\$ 353,000	\$ 44,000	\$ -
Grants - NCDOT - Future Application	-	-	-	-	-	-	-
GO Bonds - Bond Referendum 2022	-	-	-	167,000	167,000	166,000	-
Other - Middlegame/Bowling Green HOA (PILOT)	-	65,000	65,000	-	-	-	-
Total Funding Sources	\$ -	\$ 680,000	\$ 520,000	\$ 520,000	\$ 520,000	\$ 210,000	\$ -

TOTAL PROJECT COST: \$ 2,450,000



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-321-

Submitted by: Aileen J. Staples

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Approval of resolution authorizing the execution and delivery of an installment financing agreement with JP Morgan Chase Bank to finance the resurfacing and rehabilitation of certain town streets

Recommendation:

Approval as submitted

Item Summary:

ATTACHMENTS

- [IPA resolution JP Morgan_summary.pdf](#)
- [JPM - Wake Forest IFA - Approval Resolution\(181512356.1\).docx](#)
- [Street Improvements - Financing Proposals.pdf](#)
- [Timetable_Streets IPA.pdf](#)

Approval of resolution authorizing the execution and delivery of an installment financing agreement with JP Morgan Chase Bank to finance the resurfacing and rehabilitation of certain town streets.

The Town is under contract to begin year one of the street rehabilitation and resurfacing program. We are utilizing an installment purchase contract to finance this project as authorized under NC General Statute 160A-20. Formal approval from the Local Government Commission is scheduled for December 5, 2023.

The town received five (5) proposals with rates ranging from 4.41% - 5.26%. Staff awarded the bid to JP Morgan Chase Bank who submitted a proposal with a rate of 4.41% for eight (8) years. A summary of proposals received are attached for your review. The attached resolution authorizes staff to proceed with closing the loan and obtaining funds.

Attachments: Resolution from JP Morgan; Analysis of proposals; Timeline

BOARD OF COMMISSIONERS
OF THE
TOWN OF WAKE FOREST, NORTH CAROLINA

Excerpt of Minutes
of Meeting of
November 21, 2023

Present: Mayor Jones presiding, and Commissioners _____

Absent: _____

* * * * *

Commissioner _____ introduced the following resolution, the title of which was read:

RESOLUTION AUTHORIZING THE EXECUTION AND
DELIVERY OF AN INSTALLMENT FINANCING
AGREEMENT TO FINANCE THE RESURFACING AND
REHABILITATION OF CERTAIN TOWN STREETS

WHEREAS, the Board of Commissioners (the “Board”) of the Town of Wake Forest, North Carolina (the “Town”) desires to finance the resurfacing and rehabilitation of certain streets owned by the Town (the “Project”); and

WHEREAS, the Town desires to finance the Project by executing and delivering an installment financing agreement, as authorized under Section 160A-20 of the General Statutes of North Carolina; and

WHEREAS, the Town released a request for proposals to a number of financial institutions relating to the financing of the Project; and

WHEREAS, JPMorgan Chase Bank, N.A. (the “Lender”) submitted a proposal to the Town dated November 3, 2023 (the “Proposal”), pursuant to which the Lender shall enter into an installment financing agreement with the Town in an amount not-to-exceed \$5,500,000 (the “Agreement”) to finance the Project, and to pay certain costs associated with the financing, to be secured by a deed of trust, assignment of rents and leases, security agreement and financing statement that creates a lien on the Project for the benefit of the Lender (the “Deed of Trust”); and

WHEREAS, on October 17, 2023, the Board of Commissioners of the Town held a public hearing following the publication of notice thereof regarding financing the Project through the execution and delivery of an installment financing agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town (the "Board of Commissioners"), as follows:

1. The Board of Commissioners hereby accepts the Proposal, and authorizes and directs the Mayor, the Town Manager, the Chief Financial Officer, and the Clerk, or any of them, to execute, acknowledge and deliver the Agreement and the Deed of Trust on behalf of the Town, with such changes and modifications as the person executing and delivering such instruments on behalf of the Town shall find acceptable. The Clerk is hereby authorized to affix the official seal of the Town to the Agreement and the Deed of Trust and to attest the same.

2. Each of the Mayor, the Town Manager, the Chief Financial Officer, and the Clerk, and other appropriate officers of the Town is hereby authorized and directed to execute and deliver any and all papers, instruments, agreements, tax certificates, opinions, certificates, affidavits and other documents, and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution, the Agreement and the Deed of Trust, and the financing, resurfacing, and rehabilitation of the Project.

3. All other acts of the Board of Commissioners and the officers of the Town, which are in conformity with the purposes and intent of this resolution and in furtherance of the financing of the Project, are hereby ratified, approved and confirmed.

4. This resolution shall take effect immediately.

Commissioner _____ moved the passage of the foregoing resolution and
Commissioner _____ seconded the motion, and the resolution was passed by the
following vote:

Ayes: Commissioners _____

Nays: Commissioners _____

Not voting: Commissioners _____

* * * * *

[Remainder of page intentionally left blank]

I, Terry Savary, Clerk for the Board of Commissioners of the Town of Wake Forest, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Board of Commissioners for the Town at a regular meeting duly called and held on November 21, 2023, as it relates in any way to the resolutions hereinabove referenced and that such proceedings are recorded in the minutes of the Board. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Board of Commissioners for the Town is on file in my office.

WITNESS my hand and the official seal of the Town this ____ day of November, 2023.

Terry Savary, Clerk
Board of Commissioners
Town of Wake Forest, North Carolina

(SEAL)

TOWN OF WAKE FOREST
Street Resurfacing and Rehabilitation Project
FINANCING PROPOSALS
2-Nov-23

	Award Bid				
	JP MORGAN	BENCHMARK COMMUNITY BANK	PNC PUBLIC FINANCE	PINNACLE FINANCIAL PARTNERS	TRUIST BANK
Interest Rate	4.41%	4.74%	4.98%	5.10%	5.26%
Pre-payment penalty	No Optional redemption date and provisions included.	No	Yes Explanation included in proposal.	Yes Explanation included in proposal.	Yes Explanation included in proposal.
Bank Counsel Fees - capped	\$15,000	\$15,000	Actual costs - Town to be billed directly.	\$8,500 plus actual expenses	\$10,000
Other Fees - estimated	n/a	n/a	n/a	n/a	n/a
Maximum interest costs per amortization schedule	\$1,030,837.52	\$1,108,153.60	\$1,164,075.00	\$1,159,656.17 (payments start in May)	\$1,231,132.26
Maximum annual payments per amortization schedule	\$907,310.94	\$923,781.70	\$935,721.88	\$943,216.10	\$949,678.13
Rate guarantee	31-Dec-23	31-Dec-23	15-Dec-23	29-Dec-23	2-Jan-24

TOWN OF WAKE FOREST STREET RESURFACING FINANCING (160A-20) TIMETABLE

Preliminary Conference with LGC	August 11, 2023 (Friday)
*Adoption of Resolution Authorizing Application	September 19, 2023 (Tuesday) (Prior to filing application)
File notification with Joint Legislative Committee	September 30, 2023 (Friday)
Publish Notice of Public Hearing (Ten days prior)	October 5, 2023 (Thursday)
Public Hearing on Financing	October 17, 2023 (Tuesday)
Proposals due from Financial Institutions	November 1, 2023 (Wednesday)
File formal application with LGC	November 7, 2023 (Tuesday)
Approval of Resolution Authorizing 160A Installment Purchase Contract with Financial Institution (<i>if needed</i>)	November 21, 2023 (Tuesday)
Application considered by the LGC	December 5, 2023 (Tuesday)
Close loan/receive installment proceeds (Between December 15 and December 29)	December 2023

*This resolution also authorizes staff to “take other such actions as may be advisable in connection with the proposed financing agreement.”



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-296-

Submitted by: Nick Nolte

Submitting Department: Engineering

Meeting Date: November 21, 2023

SUBJECT

Consideration of Stormwater Utility Fee

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-317-

Submitted by: Ella Dowtin

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Appointment of Candidates for the Board of Adjustment

Recommendation:

Item Summary:

ATTACHMENTS

- [Board of Adjustments Candidates Cover letter.pdf](#)
- [BOA Application Packet.pdf](#)

Wake Forest Board of Adjustment Applicants

Board of Adjustment – 1 Alternate Seat

All Candidates:

Candidate	Town Limits
Matthew Burg	Yes
Craig Chalkley	Yes
Erlinda Laska	Yes
Joseph Longoria	Yes
Andrew Martino	Yes

Cognito Forms

Boards & Commissions Application

[View full entry at CognitoForms.com.](#)

Entry Details

NAME	Matthew Burg
ADDRESS	605 Cala Lilly Lane, Wake Forest, North Carolina 27587
EMAIL	matthew.a.burg@gmail.com
PHONE	(252) 725-4920
WHICH BOARD OR COMMISSION WOULD YOU LIKE TO APPLY FOR? (YOU CAN ONLY APPLY FOR ONE BOARD)	Board of Adjustment
OCCUPATION	Maintenance supervisor
DO YOU LIVE WITHIN THE TOWN'S LIMITS OR ETJ?	Yes
LENGTH OF RESIDENCY IN WAKE COUNTY?	17 years
DO YOU AGREE?	Yes
HAVE YOU ATTENDED A MEETING FOR THE BOARD IN WHICH YOU ARE APPLYING?	No
DO YOU AGREE?	Yes

HOW DID YOU LEARN ABOUT THE
ADVISORY BOARD
OPENING(S)? (CHECK ALL THAT
APPLY)

Town website

Cognito Forms

Boards & Commissions Application

[View full entry at CognitoForms.com.](#)

Entry Details

NAME	Craig Chalkley
ADDRESS	929 Calista Dr., Wake Forest, North Carolina 27587
EMAIL	Chalkley43@hotmail.com
PHONE	(478) 954-2411
WHICH BOARD OR COMMISSION WOULD YOU LIKE TO APPLY FOR? (YOU CAN ONLY APPLY FOR ONE BOARD)	Board of Advisors
OCCUPATION	Retired Homebuilder and retired Air Force Officer
DO YOU LIVE WITHIN THE TOWN'S LIMITS OR ETJ?	Yes
LENGTH OF RESIDENCY IN WAKE COUNTY?	4 years
INTERESTS & EXPERIENCES	Interested in giving back to the community. Retired from Air Force as an airplane navigator and then Colonel staff officer. Was in residential and commercial construction for 25 years in Macon, Ga. Was a certified Southern Living Custom

Home Builder. Graduated from Wake Forest U. with a BA degree then later graduated from Troy University with a Master's degree in Counseling and Human Development. I have 5 grandchildren in the area. I've lived in many parts of the U.S. but have never loved a HOMETOWN MORE THAN I LOVE Wake Forest. I am very proud to take visitors on a tour of our town to show how much the citizens care about their property and how careful the Town Government has been to zone well for the long term benefit of all residents. Thank you for your consideration.

DO YOU AGREE?

Yes

**HAVE YOU ATTENDED A MEETING
FOR THE BOARD IN WHICH YOU ARE
APPLYING?**

No

DO YOU AGREE?

Yes

**HOW DID YOU LEARN ABOUT THE
ADVISORY BOARD
OPENING(S)? (CHECK ALL THAT
APPLY)**

Family/Friend

Cognito Forms

Boards & Commissions Application

[View full entry at CognitoForms.com.](#)

Entry Details

NAME	Erlinda Laska
ADDRESS	1801 Capital Creek Drive, Apt.1308, Wake Forest, North Carolina 27587
EMAIL	erlindalaska@hotmail.com
PHONE	(805) 204-1864
WHICH BOARD OR COMMISSION WOULD YOU LIKE TO APPLY FOR? (YOU CAN ONLY APPLY FOR ONE BOARD)	Human Relations Council Board of Adjustment
OCCUPATION	Healthcare (10 years)
DO YOU LIVE WITHIN THE TOWN'S LIMITS OR ETJ?	Yes
LENGTH OF RESIDENCY IN WAKE COUNTY?	4-years
INTERESTS & EXPERIENCES	Advocacy is my passion; from advocating for patients and providers at bedside to addressing over 200 nations at the World Health Assembly in 2019. A foreign native - who now calls Wake Forest home- I treasure our small town feeling, but do understand that our community is growing. As we all embark on this journey of growth and change, I would love to help build a stronger community

where diversity and inclusion are seen as strengths. While we may come from different cities, states, or even countries; while we may be walking through different paths and have different stories; we all have one thing in common- we are all human beings. As such, we are deserving of respect, understanding, compassion, and empathy. We are all pieces of a puzzle, that when put together can build a beautiful image.

As a healthcare professional with over a decade of experience, I have had the privilege of serving our community in different capacities during the past 4-years and look forward to continuing to serve and help build the beautiful image that Wake Forest's community can be.

DO YOU AGREE?

Yes

HAVE YOU ATTENDED A MEETING FOR THE BOARD IN WHICH YOU ARE APPLYING?

No

DO YOU AGREE?

Yes

HOW DID YOU LEARN ABOUT THE ADVISORY BOARD OPENING(S)? (CHECK ALL THAT APPLY)

Performed google search on volunteer opportunities in Wake Forest

If that is not an option, I would appreciate the following also being shared with the Board to aid in their decision:

"Why?

After 4-years of living in Wake Forest, my husband and I have decided to call this our forever home. In this short time, we have seen the area grow exponentially. Having lived in cities which lost their identity as a result of growth, I feel strongly about helping our community grow while preserving its small town feeling.

With a Master's degree in Public Health, I bring the perspective of environmental and public health to this board. Zoning decisions have the ability to impact the wellbeing of those who reside in the community; these decisions can create food deserts (investigated this in Port Hueneme, CA), increase the prevalence of asthma (experienced this in Long Beach, CA), and create homelessness issues. These can further impact the safety of our community. My training has provided me with the skills to quickly identify safety issues and propose solutions compliant with state and/or federal guidelines.

Additionally, for me being part of a community goes beyond just existing in that space. Wake Forest is a special place for my family, and it would be my honor to be a part of preserving this special place for the generations to come."

Again, thank you for your email and help during this process. I am very grateful for your help.

Respectfully,
Erlinda Laska

Cognito Forms

Boards & Commissions Application

[View full entry at CognitoForms.com.](#)

Entry Details

NAME	Joseph Longoria
ADDRESS	408 Old Dairy Dr, Wake Forest, North Carolina 27587
EMAIL	longoriajr@gmail.com
PHONE	(931) 980-2030
WHICH BOARD OR COMMISSION WOULD YOU LIKE TO APPLY FOR? (YOU CAN ONLY APPLY FOR ONE BOARD)	Board of Adjustments
OCCUPATION	Military Officer
DO YOU LIVE WITHIN THE TOWN'S LIMITS OR ETJ?	Yes
LENGTH OF RESIDENCY IN WAKE COUNTY?	10 years
INTERESTS & EXPERIENCES	Interests: Hiking/Walking with family and friends along the county's greenways, playing pickleball, and spending time with my loving family. I believe in a value system that gives back to a community which has given so much for many and volunteering my efforts to make our great little town of Wake Forest an example for those around us. Experiences:

Served on the Wake County Energy Commission Board (2014-2017)

Previous fundraiser for Doctors Without Borders
Co-founder of The RightSeat Foundation (non-profit) that worked with local high schools in lower income districts to mentor students

Former Commissioner/Coach at North Wake County Baseball Association

Currently serving as a company commander for an Army aviation unit

Former North Carolina Army National Guard Counter Narcotics Operations Officer, responsible for providing support to local, state, and federal agencies to assist law enforcement's capability to anticipate, deter, and eliminate threats to our community that are the result of illicit drug activities.

Air Mission Commander in Afghanistan and Kosovo with over 200 combat flight missions

First person in my family to graduate from college

DO YOU AGREE?

Yes

HAVE YOU ATTENDED A MEETING FOR THE BOARD IN WHICH YOU ARE APPLYING?

No

DO YOU AGREE?

Yes

HOW DID YOU LEARN ABOUT THE ADVISORY BOARD OPENING(S)? (CHECK ALL THAT APPLY)

Town website

Cognito Forms

Boards & Commissions Application

[View full entry at CognitoForms.com.](#)

Entry Details

NAME	Andrew Martino
ADDRESS	1928 Hay House Avenue, Wake Forest, North Carolina 27587
EMAIL	drew2917@aol.com
PHONE	(919) 671-2798
WHICH BOARD OR COMMISSION WOULD YOU LIKE TO APPLY FOR? (YOU CAN ONLY APPLY FOR ONE BOARD)	BOA
OCCUPATION	NCDPS Investigator
DO YOU LIVE WITHIN THE TOWN'S LIMITS OR ETJ?	Yes
LENGTH OF RESIDENCY IN WAKE COUNTY?	19 plus years
INTERESTS & EXPERIENCES	former NYPD Detective, 911 first responder, avid hockey fan. spending time with my 3 Grandsons
DO YOU AGREE?	Yes
HAVE YOU ATTENDED A MEETING FOR THE BOARD IN WHICH YOU ARE APPLYING?	No

DO YOU AGREE?

Yes

**HOW DID YOU LEARN ABOUT THE
ADVISORY BOARD
OPENING(S)? (CHECK ALL THAT
APPLY)**

Town website



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-265-

Submitted by: Patrick Reidy

Submitting Department: Planning

Meeting Date: November 21, 2023

SUBJECT

Consideration of LEGISLATIVE CASE RZ-23-02, Stadium Drive Mixed Use, a rezoning filed by Williams Mullen to rezone 19.30 acres located at 0 Stadium Dr, being Wake County Tax PIN 1831957846 from Rural Holding District (RD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O) to Neighborhood Mixed-Use Conditional District (NMX-CD), Richland Creek Watershed Management Area District (RC-WMA), and Special Highway Overlay (SH1-O).

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-260-
Submitted by: Courtney Tanner
Submitting Department: Planning
Meeting Date: November 21, 2023

SUBJECT

Consideration of Community Plan Amendment related to the Wake Forest/Raleigh Utility Merger Agreement (CPA-23-03)

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-64-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Department Monthly Report

Recommendation:

Item Summary:

ATTACHMENTS

- [October 2023 Monthly Report.pdf](#)

October 2023 | Department Monthly Report



Communications

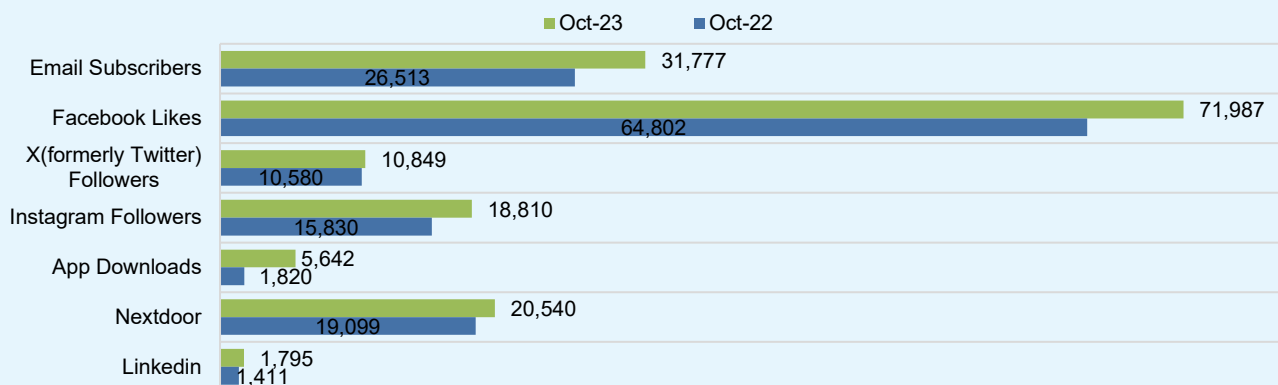
ANNOUNCEMENTS

Media Releases	45
Email Announcements	20
Town-to-Resident Phone Calls/Texts	22

TOP 5 VIEWED PAGES ON WEBSITE

RANK	PAGE	VIEWS
1	Customer Service Forms & Applications	14,327
2	Home	8,619
3	Boo Bash	4,256
4	Utility Bill Payment Options	3,496
5	Jobs	2,758

SUBSCRIBERS



Downtown Development

OCCUPANCY

	OCT – DEC 2023	OCT – DEC 2022
Occupancy Rate in Percentage	93%	90%

NEW BUSINESSES

	OCTOBER 2023	FISCAL YEAR-TO-DATE
Number of New Businesses	0	2
Number of Businesses Closed	1	1

EVENTS

FOURTH QUARTER EVENTS (OCT-DEC)	ATTENDANCE IN 2022	ATTENDANCE IN 2023
Spirits of Wake Forest	800	765

Spirits of Wake Forest Tours was a success for Wake Forest Downtown, despite the cancellation of one tour due to inclement weather. Wake Forest Downtown made approximately \$110,000 in revenue and provided Firebox Theatre \$3,200 for their partnership in providing storytellers.

Annual fall/Halloween window decorating was a hit with 20 businesses participating, but Broadsides & Brews (scheduled to open in November 2023), was the winner. Merchants held a successful Goodies for Goblins event with approximately 1500 people visiting downtown businesses to trick or treat from businesses.

Over 50 submissions were received from 21 different artists in the Call to Artists submissions for public art banners to be displayed downtown. Four designs will be chosen by members of the Public Art Commission and Wake Forest Downtown and the banners will be displayed on seasonal banner poles downtown starting in January 2024.

Las Margaritas closed after 27 years in business, but the property owner is working with business owner in hopes that they will be able to return.

UPDATES PROVIDED QUARTERLY

Economic Development

WFBIP MONTHLY NEWSLETTER [VIEW](#)

The Wake Forest Business & Industry Partnership's Quarterly Report is updated at the end of each quarter.

Use Chrome, Firefox, Safari, or Edge to view the newsletter and/or the report.

BUSINESS RETENTION & EXPANSION

NAMES OF BUSINESSES VISITED THIS MONTH

Page Design

Circa Magazine

REQUESTS FOR INFORMATION (RFIs)

	OCTOBER 2023	OCTOBER 2022
Number of Responses to RFIs	1	0

Engineering

Stormwater Infrastructure	Two members of the stormwater advisory group will be presenting the final draft of the stormwater utility fee at the November 9th, Board of Commissioner Work Session. The public hearing will be on November 21st.
Resurfacing Project	The contract has been awarded and finalizing documents for notice to proceed, along with the CMT contract.

Finance

FINANCIAL TASKS COMPLETED

TAX RETURNS & REPORTS

COMPLETION DATE

NC Sales and Use Tax Form E500 and payment	10/15/2023
ORBIT/LGERS Report – NC State Treasurer	10/2/2023
Utility Sales Tax Return – E500 E	10/15/2023
BLS Department of Labor Report	10/17/2023
ARPA Treasury Report	10/19/2023
Food & Beverage Tax Report	10/15/2023

ACCOUNTING/FINANCE

AMOUNT

Total \$ Accounts Payable Disbursement	\$3,500,546
Total ePayables & Payroll Disbursement	\$1,966,965
Total Number of Invoices Paid	522
Total Amount of Invoices Paid with credit card	\$648,894

FY22-23 AUDIT

COMPLETION DATE

FYE June 30, 2023, ACFR Submitted to LGC	10/12/2023
AFIR (Annual Financial Information Report)	10/24/2023

PURCHASING / WAREHOUSE

Purchase Orders Processed	59
New Vendors Set Up	26
Informal Quotes	20
Surplus Items	\$91,012
HUBSCO	1

Fire

KEY STATS

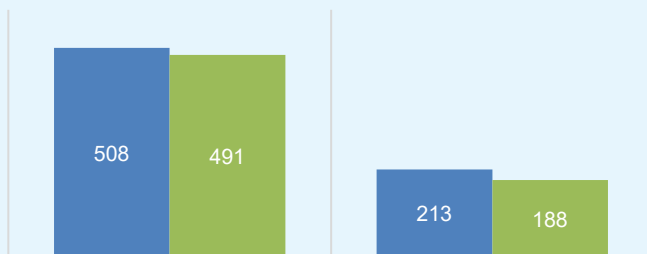
OCTOBER 2023

OCTOBER 2022

Calls for Service	508	491
Average Response Time	4:41	4:24

FIRE-KEY STATS

■ Oct-23 ■ Oct-22



TYPES OF CALLS

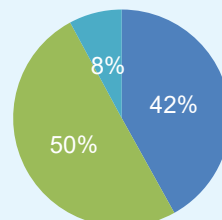
OCTOBER 2023

OCTOBER 2022

Fire	213	188
Medical	255	277
Motor Vehicle Accidents (MVA)	40	26

TYPES OF CALLS

■ Fire ■ Medical ■ MVAs



Human Resources

PROMOTIONS / TRANSFERS

EMPLOYEE NAME	DEPARTMENT	POSITION	DATE
Zachary Johnson	PW – Streets	Construction Worker II	10.16.23

EMPLOYMENT

As of OCTOBER 31, 2023	OCTOBER 2023	OCTOBER 2022
Positions Filled	405	377
Vacancies	35	34
Total Authorized Positions FY 2023-2024	440	411

Information Technology

SERVICE STATS

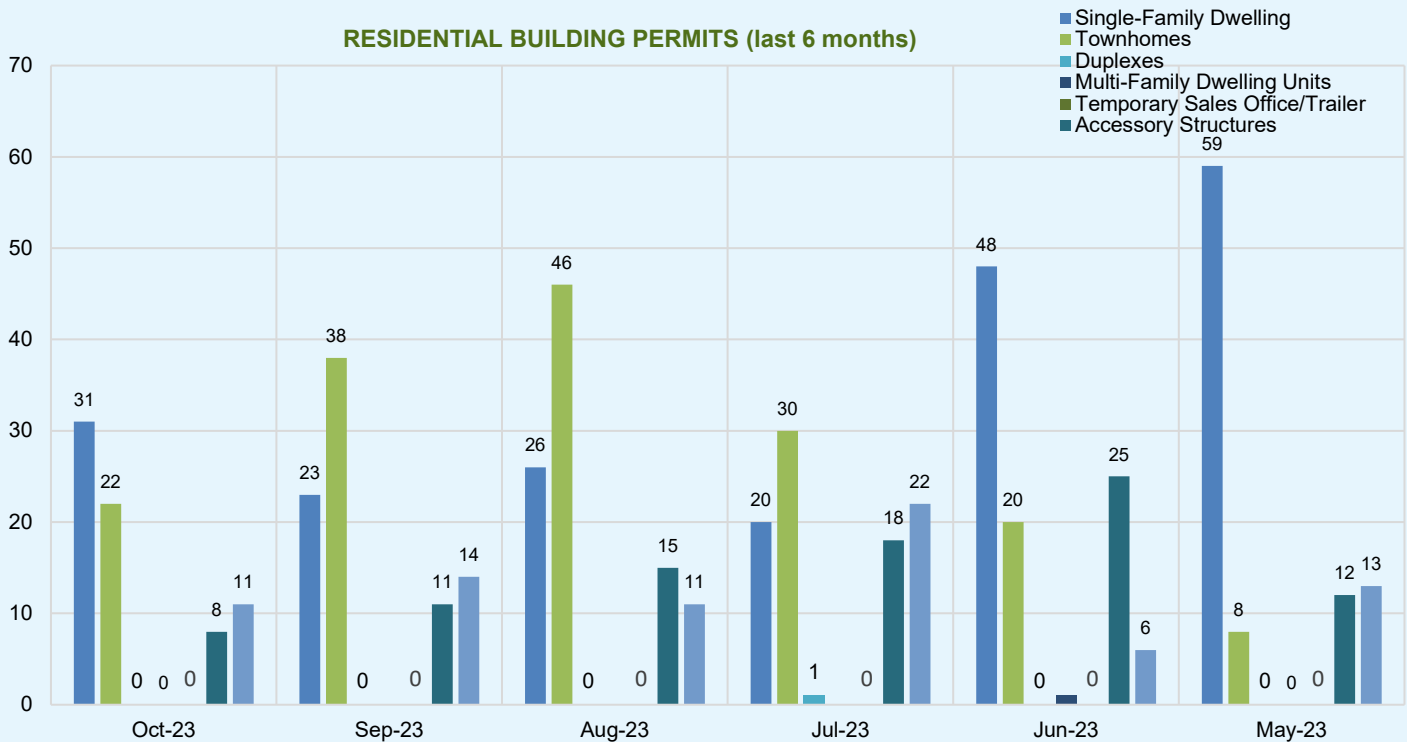
	OCTOBER 2023	OCTOBER 2022
Service Requests Completed	389	358
Network Uptime Percentage	99.8%	100%

Inspections & Public Facilities

RESIDENTIAL PERMITS		
	OCTOBER 2023	OCTOBER 2022
Single-Family Dwelling	31	31
Townhomes	22	19
Duplexes	0	0
Multi-Family Dwelling Units	0	1
Other	138	109
Total	191	160

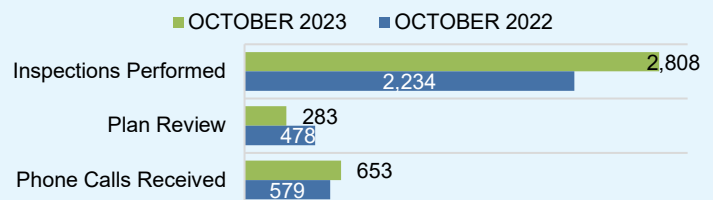
NON-RESIDENTIAL PERMITS		
	OCTOBER 2023	OCTOBER 2022
New Commercial	1	1
Fit-Ups	5	4
Other	19	40
Total	25	45

RESIDENTIAL BUILDING PERMITS (last 6 months)



PUBLIC FACILITIES		
	OCTOBER 2023	OCTOBER 2022
Preventative Maintenance Completed	484	1,341
Reactive Work Orders	102	347

DEPARTMENTAL PRODUCTIVITY



BUSINESSES	
NEW COMMERCIAL BUSINESSES	
O2 Fitness	11136 Ligon Mill Rd
FIT-UPS	
Acai Express	13654 Capital Blvd 104
Barbaric	741 Merritt Capital Dr 117
Builders Services Group	741 Merritt Capital Dr 115
Wake Skin Cancer Center	11640 Northpark Dr 200
Main St Family Urgent Care	2115 S Main St A/B
PRE-OCCUPANCIES	
Helios Detail Studio	5105 Unicon Dr G
Happy Healing	744 Merritt Capital Dr 104
Happy Healing	744 Merritt Capital Dr 114
At Temp / ACCB Mechanical	5053 Unicon Dr L

Organizational Performance

NORTHERN WAKE FOOD SECURITY TEAM

Staff Hours	18 hours per week
Updates	Mobile Market Stats – serving 4,114 at the Mental Wellness & Self-Care Fair

GUEST SERVICES VOLUNTEER (GSV) PROGRAM

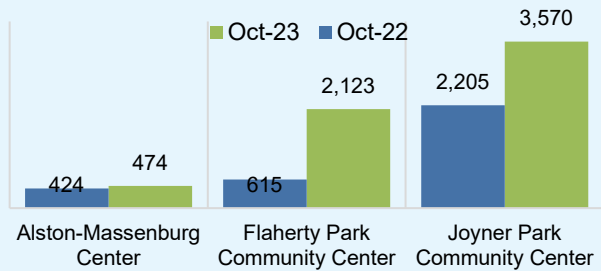
Updates	Active GSV -13 October GSV hours – 113 Recruiting more volunteers, we need to get to 20 total
---------	---

Parks, Recreation & Cultural Resources

ATHLETICS		
	OCTOBER 2023	OCTOBER 2022
Registrations Received – Youth	24	39
Registrations Received – Adult	0	0
Games Held	111	106
Revenue	\$1,860	\$25,740

PROGRAMS		
	OCTOBER 2023	OCTOBER 2022
Registrations Received – Youth	149	86
Registrations Received – Adult	151	127
Classes/Programs Held	40	26
Revenue	\$6,909	\$4,730

VISITORS TO COMMUNITY CENTERS



RECONNECT PROGRAM GUIDE [VIEW](#)

The program guide is updated twice per year in January and July.

PARK MAINTENANCE

TYPE OF MAINTENANCE	QUANTITY
Vandalism	3
Reactive Maintenance	4
PM Inspections and services	73
Evening and Weekend Park Services	4

FACILITY RENTALS		
	OCTOBER 2023	OCTOBER 2022
Athletic Fields	2	33
Joyner Park Outdoor / Open Space	5	7
General Outdoor / Open Space	2	2
Picnic Shelters	3	1
Wake Forest Community House	8	6
Joyner Park Community Center	2	5
Flaherty Park Community Center	4	0
Alston-Massenburg Community Center	5	2

VISITORS TO AQUATIC CENTER & SPRAYGROUND		
	OCTOBER 2023	OCTOBER 2022
Aquatic Center	CLOSED	CLOSED
Taylor Street Sprayground	CLOSED	CLOSED

Planning

DEVELOPMENT SERVICES MONTHLY REPORT

VIEW

ZONING VIOLATIONS DASHBOARD

VIEW

Use Chrome, Firefox, Safari, or Edge when viewing the dashboard.

CERTIFICATES OF APPROPRIATENESS		
	OCTOBER 2023	OCTOBER 2022
COAs Received	0	0
COAs Approved	0	0

Police

KEY STATS		
	OCTOBER 2023	OCTOBER 2022
Calls for Service	3,830	4,908
Vehicle Crashes	186	189

Public Works

Streets: Evaluations, Flaherty dam erosion control installation, bus stop installation at the Senior Center, replaced 609 feet of sidewalk, patched 75 tons of asphalt, swept 223 miles of streets and repaired/maintained 2 major outfalls.

Solid Waste: Loose leaf season started 10/2/23, Adam Smith was promoted to SW Operator on 10/30/23, and all routes were completed on time in October, Evaluation process is in full swing throughout the entire month of October and Jeanette Johnson received the award for the Young Professional of the Year of SWANA NC.

Urban Forestry: Removed 108 trees, grind 25 stumps, and procured street replacement trees.

Fleet: completed 266 work orders in October for a combined shop productivity average of 79 of billable hours. The 4 mechanics completed 28 combined hours of training. Fleet Mechanics provided vehicle repair assistance for the Police Department during their 4-day annual Precision Immobilization Technique (PIT) vehicle training.

RECYCLING		
	OCTOBER 2023	OCTOBER 2022
Volunteer Collected Litter	200	0
Volunteer Collected Recycling	100	0
Volunteer Hours	33	0
Volunteer Miles of Streets	0	0
Sections of Roads Cleaned (not	1	0
Number of Creeks Cleaned	2	0
Number of Litter Kits Issued/Returned	4	0

SOLID WASTE		
	OCTOBER 2023	OCTOBER 2022
New Construction Homes Added	57	84
New Cart Sets	57	84

CEMETERY		
	OCTOBER 2023	OCTOBER 2022
Number of Plots Sold	0	4
Number of Niches Sold	0	0
Total Plots Available	0	37

Renaissance Centre for the Arts

RENAISSANCE CENTRE PROGRAM GUIDE

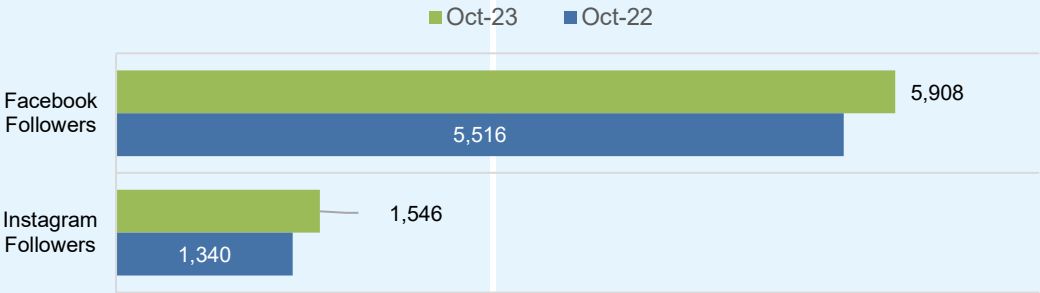
[VIEW](#)

EVENT & PROGRAM ATTENDANCE

	OCTOBER 2023	OCTOBER 2022
Monthly In-Person Attendance	1,783	2,173
Virtual Views	77	459
Ticketed Events Held	0	1
Free Events Held	4	2

- The Renaissance Centre partnered with the Senior Information Networking Group (SING), Friends of the Northern Wake Senior Center, and Brookdale Senior Living to present the “Senior Scam Jam.” Presenters included NC Secretary Elaine Marshall, Mercedes Restucha-Klem, representing NC Attorney General Josh Stein, and Stephanie Bias from the NC Department of Insurance.
- The Renaissance Centre’s Celebration of the Arts was well attended with a noticeable increase in the number of families in attendance. The day featured performances from Wake Forest High School’s theater students and Marching Cougars, as well as readings by area poets.
- Renaissance Centre staff member, Debra Horton was invited to attend a community connection program for friends and family at Olive Branch Baptist Church. She spoke on behalf of the Public Art Commission (PAC) and shared the excitement for upcoming art projects that will be placed at the Alston-Massenburg Center.
- Commissioner Keith Shackleford partnered with the PAC to host a “Cookies and Conversation” art envisioning session for the Northeast neighborhood. Thirteen community advocates participated in the conversation.
- The Renaissance Centre was the host venue for the Wake Forest Fire Department’s Recruitment Day and the Human Resource Department’s Town of Wake Forest Job Fair.

SOCIAL ENGAGEMENT



Wake Forest Power

CUSTOMER SUMMARY

	OCTOBER 2023	OCTOBER 2022
Electric Meters/Customers	7,598	6,764
Pre-Pay Power Customers	468	465
H.O.P.E. Participants	45	46
N.C. GreenPower Participants	17	17

PAYMENTS RECEIVED

	OCTOBER 2023	OCTOBER 2022
eSuite Credit Card Payments	\$307,700	\$250,412
eSuite Credit Card Payments (Pre-Pay)	0	\$1,380
Paymentus CC Payments	\$707,502	\$772,181
Paymentus CC Payments (Pre-Pay)	\$53,821	\$42,431

POWER OUTAGES

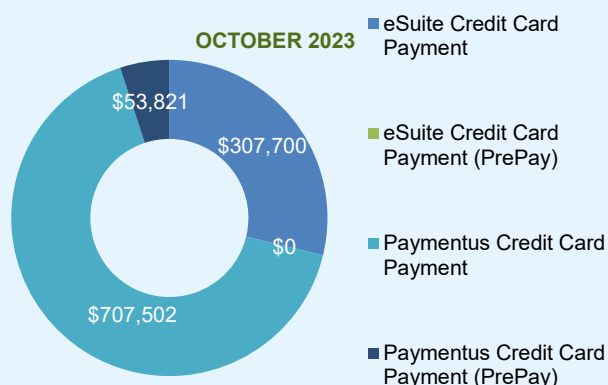
	OCTOBER 2023	OCTOBER 2022
Total Number of Customers Affected by Outages this Month	242	143
Average Number of Customers Affected per Outage	48.4	23.83

NUMBER OF TRANSACTIONS

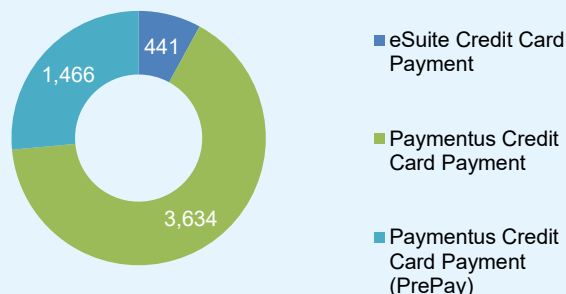
	OCTOBER 2023	OCTOBER 2022
eSuite Credit Card Payments	441	569
Paymentus CC Payments	3,634	4,494
Paymentus CC Payments (Pre-Pay)	1,466	1,157

PAYMENTS RECEIVED

OCTOBER 2023



PAYMENTS RECEIVED OCTOBER 2023



Advisory Boards

Historic Preservation Commission

MEETINGS

Most recent meeting held 10/11/2023

Number of members in attendance 0 out of 11

October meeting cancelled.

Human Relations Council

MEETINGS

Most recent meeting held 10/26/2023

Number of members in attendance 5 out of 8

Members met to vote on potential new board members for the Human Relations Council.

Public Art Commission

MEETINGS

Most recent meeting held 10/26/2023

Number of members in attendance 6 out of 10

Celebration of Arts Task Group debriefed the Oct. 7 event. Save the date for next year back at Alston-Massenburg: Oct. 5, 2024. RC 10-year art piece in progress. AMC Mural Art Task Group moving forward, adding community members to the group; successful input session on Oct. 22 at AMC. WFD Boulevard Banners submissions closed on Oct. 31; the selection committee going through submissions. Continuing to receive positive feedback from the Sept. professional development workshop with Dasan Ahanu from other advisory groups.

Parks, Recreation & Cultural Resources Advisory Board

MEETINGS

Most recent meeting held 10/23/2023

Number of members in attendance 10 out of 10

Members were reminded to volunteer through Sign-up Genius for upcoming events: Boo Bash/Calls from Santa, Snowball Dance. QRFit Trails Update: Locations Discussion - Randy Hoyle shared his input. The board voted to install the QRFit signs on Dunn Creek towards Hwy 98. Members were reminded to attend the master plan community input sessions on Nov. 2nd at Alston Massenburg Center & Nov. 14th at Town Hall. Staff Luncheon: Nov. 20th at 12 noon at the Alston Massenburg Center.

Technology Advisory Board

MEETINGS

Most recent meeting held 10/23/2023

Number of members in attendance 5 out of 12

TAB dedicated efforts to crafting a STEM schedule and securing prospective speakers. TAB's members engaged in discussions regarding the application of AI in contemporary industries. The election of new board members for the upcoming three-year term took place.

Urban Forestry Board

MEETINGS

Most recent meeting held 10/24/2023

Number of members in attendance 6 out of 9

The board voted on 3 new members and gave updates on the WF garden club event. The board will be voting on a new chair in December.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-65-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Wake County Tax Release

Recommendation:

Item Summary:

ATTACHMENTS

- [WF-TXREP-NOV-2023-BOC-MTG.pdf](#)



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180
FAX 919 856 5699

SHINICA THOMAS, CHAIR
SUSAN EVANS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
DON MIAL
CHERYL STALLINGS
JAMES WEST

November 7, 2023

Mr. Kip Padgett
Town Manager;
Town of Wake Forest
301 S. Brooks Street
Wake Forest, North Carolina 27587

Dear Mr. Padgett:

The Wake County Board of Commissioners, in regular session on November 6, 2023, approved and accepted the enclosed tax report for the Town of Wake Forest.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in cursive script, appearing to read "Yvonne Gilyard".

Yvonne Gilyard
Clerk to the Board
Wake County Board of Commissioners



WAKE COUNTY TAX ADMINISTRATION

Rebate details
9/1/2023 - 9/30/2023

PAGE

TIME

DATE

06:06:41 PM

10/10/2023

1

WAKE FOREST

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING OWNER TYPE
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WAKE FOREST SPEC DIST

BUSINESS ACCOUNTS

857778	721.42	200.00	0.00	0.00	0.00	921.42	09/08/2023	0006950842	2023	2023	000000 MARLIN LEASING
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Subtotal for

BUSINESS ACCOUNTS	721.42	200.00	0.00	0.00	0.00	921.42			1	Properties Rebated
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TOTAL

WAKE FOREST SPEC DIST	721.42	200.00	0.00	0.00	0.00	921.42			1	Properties Rebated for the District/City
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WAKE FOREST (Not In District)

BUSINESS ACCOUNTS

857770	33.92	0.00	0.00	0.00	0.00	33.92	09/08/2023	0006134877	2023	2023	007000 MARLIN LEASING CORPORATION
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Subtotal for

BUSINESS ACCOUNTS	33.92	0.00	0.00	0.00	0.00	33.92			1	Properties Rebated
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INDIVIDUAL REAL ESTATE ACCOUNTS

859315	1,120.24	0.00	0.00	0.00	0.00	1,120.24	09/26/2023	0000017810	2023	2023	000000 NEWHOUSE, ELIZABETH J
859293	227.25	0.00	0.00	0.00	0.00	227.25	09/26/2023	0000453679	2023	2023	000000 JONES, ADRIAN DENNIS SR
859288	484.91	0.00	0.00	0.00	0.00	484.91	09/26/2023	0000210986	2023	2023	000000 DIMONDA, PATRICIA



WAKE COUNTY TAX ADMINISTRATION

Rebate details
9/1/2023 - 9/30/2023

WAKE FOREST

DATE 10/10/2023
TIME 06:06:41 PM
PAGE 2

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING FOR	OWNER TYPE
------------------	----------	--------------	-------------	-----------	---------------	------------------	-----------------	-------------------	-------------	----------------	---------------

Subtotal for

INDIVIDUAL											
REAL	1,832.40	0.00	0.00	0.00	0.00	1,832.40					3 Properties Rebated

ESTATE

ACCOUNTS

TOTAL	1,866.32	0.00	0.00	0.00	0.00	1,866.32					4 Properties Rebated for the District/City
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WAKE FOREST (Not In District)

TOTAL FOR

CITY

WAKE FOREST	2,587.74	200.00	0.00	0.00	0.00	2,787.74					5 Properties Rebated for the City
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WAKE COUNTY TAX ADMINISTRATION

Rebate details
9/1/2023 - 9/30/2023

WAKE FOREST

PAGE

TIME

DATE

06:06:41 PM

10/10/2023

1

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
------------------	----------	--------------	-------------	-----------	---------------	------------------	-----------------	-------------------	-------------	-------------	-----------------	-------

Grand Total: 38,415.18 264.76 270.00 173.01 0.00 39,122.95 63 Properties Rebated for All Cities



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-66-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Commissioner Reports

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2023-322-

Submitted by: Terry Savary

Submitting Department: Administration

Meeting Date: November 21, 2023

SUBJECT

Consultation with the Town Attorney, N.C.G.S. § 143.318.11(a)(3)".

Recommendation:

Item Summary:

ATTACHMENTS

-